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SEVENTEENTH REPORT
OF THE
Department of Public Records
AND
Archives of Ontario

BY
ALEXANDER FRASER, LL.D., Etc.

1928

PRINTED BY ORDER OF
THE LEGISLATIVE ASSEMBLY OF ONTARIO

SESSIONAL PAPER No. 45, 1929



TORONTO:
Printed and Published by the Printer to the King's Most Excellent Majesty
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TO HIS HONOUR THE HONOURABLE WILLIAM D. ROSS, LL.D., ETC.,
Lieutenant-Governor of the Province of Ontario.

MAY IT PLEASE YOUR HONOUR:

I have the pleasure to present for the consideration of Your Honour the Report of the Department of Public Records and Archives of Ontario for the year 1928.

Respectfully submitted,

J. D. MONTEITH,
Treasurer of Ontario.

TORONTO, 1928.

THE HONOURABLE J. D. MONTEITH, M.D., M.P.P., ETC.,
Treasurer of Ontario.

SIR,—

I have the honour to submit to you the following Report in connection with the Department of Public Records and Archives of Ontario.

I have the honour to be, Sir,
Your obedient servant,
ALEXANDER FRASER,
Deputy Minister.

TORONTO, 31st December, 1928.

PREFATORY

The original documents herein concern the peopling of Upper Canada from 1787 to 1791, inclusive. Wherever not given in full in the original form, the extracts reproduced are copious, no material point being omitted. In this the most approved method in such matters has been observed.

In recent years interest in the early history of Ontario—in her pioneer settlers, and in the gradual development of her varied public institutions—has been as gratifying as it has been noticeable. It is more and more realized that few, if any, of present-day activities are without their roots in the past. A great business concern glories in nothing more than in its venerable age; and a long-established firm carries its guarantee in its record of years.

Local history is being worthily appreciated. Every year now brings its tale of jubilee and centennial celebrations and the pioneer is everywhere coming to his own. The historical societies are expanding their fields of interest and research; the teaching profession is devoting, more than ever before, attention in the classroom, to the opportunities afforded for study by the uneventful annals of school section or township; and as an evidence of the attitude of the public, the newspaper press, by generous space, reflects and stimulates the interest of its readers.

But the most marked example is the action of the Women's Institutes of Ontario. That energetic organization whose branches number more than eleven hundred, with a very large total membership, has in recent years entered upon this work with commendable zeal. The Province has been divided into convenient regions, each district—usually a county—with responsible officers. For instance, the County of Wellington comprises five districts; and in Centre Wellington an Historical Research Society has been organized with a President, Secretary, a committee of five members and a Press Correspondent. This Society, with others, will be under the auspices of the district. The historical work of the Institutes, throughout the Province, is systematically carried on under the aegis of the Department of Agriculture; and the plan followed where applicable is on the general lines of the plan for a township history furnished by the Department of Public Records and Archives of Ontario. The Women's Institutes' definite aim is to make "collections of historical records and articles; compiling local and township history of individuals, industries, customs, developments, etc.; co-operating with the Provincial Archivist." This necessarily leads the searcher back to pioneer days when the land was first settled and communities first organized.

The enquiries for information as to the conditions of life in those early days are numerous and incessant. Thus the availability, for the first time, of the official documents here presented will meet a genuine and growing public demand; and to the student of history who takes a wider range, something is also supplied.

The period to which these papers refer takes on special importance as being the time when the political and social foundations of a new country were being laid. Upper Canada was on the threshold of settlement and the problems to be solved, in the absence of accumulated experience, were by no means easy of

solution, as will be learned from the reports of the several Land Boards and Committees from whose proceedings the selections ~~subsequent~~ in this volume have been made. Everything was then in a rudimentary stage, the most difficult stage to formulate an adequate and enduring form of political organization. The allotment of land involved consideration of urban as well as of rural communities; of future trade and commerce, water powers, industrial centres with their possible requirements, such as their accessibility to navigable waters; and the economic development of natural resources. Nor was the situation in the new territory rendered the easier by the exigencies then existing in the lower part of the Province.

The Crown, through the medium of the Governor-General, was supreme. The Governor-General was assisted by a Council for which he assumed the responsibility, in so far as he concurred in its recommendations. The Governor-General appointed the District Land Boards, the four of which, for Upper Canada, being the Districts of Hesse (Western), Nassau (Niagara), Mecklenburg (Midland) and Luneburg (Eastern). These Boards reported periodically to the Council, a sub-committee of which examined and reported on the proposals made by the Boards. All but mere routine came under the purview of the Governor-General's office. This administrative system, simple and direct as it was, ensured a comprehensive sifting of public business, and furnished the means for a reasonable understanding by the Executive, of regional conditions and such special circumstances as might exist in places remote from the seat of government.

The form in which the records are here given is designed to show the mode of procedure and the sequence observed in the conduct of affairs. The documents shed light on points, not unimportant, in the history of British Colonial Administration.

Among the papers that will be found of special interest are those dealing with grants of land made to private individuals by Indians before the cession of the lands to the Crown; the Instructions, in detail, to the District Land Boards; the grants to loyalists and soldiers and the friendly attitude shown by Lord Dorchester in these matters; the workings of the Surveyor-General's Office; the difficulties in the way of making surveys expeditiously in some parts of the Province; the interest evinced in school and church reservations, and the detailed information regarding the personnel of the pioneer settlers—the sturdy type of men and women who cheerfully faced the deprivations of those early days.

ALEXANDER FRASER

GRANTS OF CROWN LANDS IN UPPER CANADA
1787-1791

The following documents are transcripts from the originals of the official Minutes of Council concerning Crown Lands in the Province of Upper Canada (Quebec) from 1787 to 1791. They have been transcribed from the Land Books A and B of the Council Office at Quebec.

Saturday, the 17th of February, 1787.

At the Council Chamber in the Bishop's Palace.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Hugh Finlay, John Collins, Adam Mabane, George Pownall, Jos. Gar. Ch. Delery, Picotté De Bellestre, John Fraser, Henry Caldwell, William Grant, Paul Roc De St. Ours, Francis Baby, Joseph De Longueuil, Samuel Holland, Esquires; Sir John Johnson, Baronet; René Amables Boucherville and Le Comte Dupré, Esquires.

His Excellency was pleased to name His Honour The Chief Justice, Sir John Johnson, Mr. Collins, Major Holland and Colonel Caldwell to be a Committee to assemble on Tuesday next, to examine and report, with all convenient speed, upon the following matters for His Lordship's information, in their several order, as gone through, viz., 1st, The memorial of Mr. Isaac Moseley, a loyalist; 2dly, Two memorials of Mr. Samuel Adams, a loyalist; 3dly, The application of Mr. Stone, a loyalist; with any other claims or applications for lands, from loyalists, that may require a speedy decision upon them.

Monday, 30th April, 1787.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Hugh Finlay, Edward Harrison, John Collins, Adam Mabane, George Pownall, J. G. C. Delery, Picotté De Belestre, John Fraser, Henry Caldwell, William Grant, Paul Roc De St. Ours, Francis Baby, Joseph De Longueuil, Samuel Holland, Esquires; Sir John Johnson, Baronet; René Amable Boucherville, Le Comte Dupré, Esquires.

His Excellency was pleased to discharge Sir John Johnson from the Committee named on the 17th of February, and to name Mr. Finlay in his room.

Friday, 18th May, 1787.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Hugh Finlay, Edward Harrison, John Collins, Adam Mabane, George Pownall, J. G. C. Delery, William Grant, Paul Roc De St. Ours, Francis Baby, Samuel Holland and Le Comte Dupré, Esquires.

His Excellency referred all the applications for lands to the Chief Justice and other four or more members of the Council, to report upon with all convenient speed.

Saturday, 19th May, 1787.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable The Lieutenant-Governor, and all the other members as yesterday.

Mr. Rocheblave: Read a petition of Mr. Rocheblave's, praying a grant of the Carrying Place, and lands at Toronto. Referred to the Committee for Lands.

Thursday, 31st May, 1787.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Hugh Finlay, Thomas Dunn, Edward Harrison, John Collins, Adam Mabane, George Pownall, J. G. C. DeLery, Henry Caldwell, William Grant, Paul Roc De St. Ours, Francis Baby, Samuel Holland and Le Comte Dupré, Esquires.

Nothing relating to the Upper Districts was done this day.

Monday, the 25th of June, 1787.

Present: His Excellency The Right Honourable Guy, Lord Dorchester Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Hugh Finlay, Thomas Dunn, Edward Harrison, Adam Mabane, George Pownall, J. G. C. Delery, John Fraser, Henry Caldwell, William Grant, Paul Roc De St. Ours, Francis Baby, and Le Comte Dupré, Esquires.

Mr. Rocheblave prayed for lands at Toronto and for the Carrying Place there. The several petitions of Mr. Rocheblave's read. Ordered by His Excellency by the advice of the Council that the Surveyor or Deputy Surveyor-General report the survey of a location of one thousand acres not interfering with the establishment of a township of thirty thousand acres in that vicinity. And that the several petitions be in the interim referred to Messieurs Fraser, Bellestre, De Longueuil, Sir John Johnson and Mr. Boucherville who are to report thereon for the further consideration of Government respecting the other objects of the petitions.

Tuesday, 14th August, 1787.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Thomas Dunn, Edward Harrison, Adam Mabane, George Pownall, J. G. C. Delery, Henry Caldwell, William Grant, Paul Roc De St. Ours, Francis Baby and Le Comte Dupré, Esquires.

Peter Allaire: A petition of Mr. Peter Allaire for 20,000 acres of land on the River St. Francis was read. Referred to the Committee for Lands.

Friday, 24th August, 1787.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Hugh Finlay, Thomas Dunn, Edward

Harrison, Adam Mabane, George Pownall, J. G. C. Delery, Henry Caldwell, William Grant, P. R. De St. Ours, Francis Baby and Le Comte Dupré, Esquires.

Officers of the 84th Regiment: A petition dated the 32d instant, of several officers in the 1st Battalion of His Majesty's late 84th Regiment of Foot for lands on the north side of the River Ottawa read. Referred to the Committee for Lands, to report with all convenient speed.

Monday, 19th November, 1787.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Hugh Finlay, William Grant, Thomas Dunn, Paul Roc De St. Ours, Edward Harrison, Francis Baby, Adam Mabane, George Davison, J. G. C. Delery, Charles DeLanaudiere, George Pownall, Henry Caldwell and Le Comte Dupré, Esquires.

Committee for Lands: On reading the Order of the 18th May last referring to a Committee the petitions of lands, it is ordered that that Committee consist of the Chief Justice, Mr. Finlay, Mr. Dunn, Mr. Caldwell, Mr. De St. Ours and Mr. DeLanaudiere. All other members attending to have voices. That in the absence of the Chief Justice, Mr. Finlay preside. That the Committee sit weekly, and that report be made from time to time on the respective petitions in such course as the merits of the several petitions shall appear to require.

Tuesday, 4th December, 1787.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Henry Caldwell, Hugh Finlay, William Grant, Thomas Dunn, Paul Roc De St. Ours, Edward Harrison, Francis Baby, John Collins, George Davison, Adam Mabane, Charles DeLanaudiere, J. G. C. Delery, George Pownall and Le Comte Dupré, Esquires.

Nathaniel Petit: A memorial of Mr. Nathaniel Petit for a grant of lands at Niagara, read. Referred to the Committee for Lands.

Joseph White: A memorial of Mr. Joseph White for a grant of a part of Grenadier Island above Oswegatchie, read; the like reference.

Friday, 25th January, 1788.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Hugh Finlay, Henry Caldwell, Thomas Dunn, William Grant, Edward Harrison, Paul Roc De St. Ours, John Collins, Francis Baby, Adam Mabane, George Davison, J. G. C. Delery, Chas. De Lanaudiere, George Pownall and Le Comte Dupré, Esquires.

A Report of progress made by the Committee on the Crown Lands was read as follows:

At a meeting of the Committee of Council to whom the petitions for lands are referred was held on Thursday, 3d January, 1788. Present: Messrs. Finlay, Collins, Grant, De St. Ours and DeLanaudiere.

The Committee at several meetings examined the petitions lying on the table, and concluded to consider first, the claims founded on His Majesty's

mandamus; next, petitions from officers and soldiers of reduced corps, that had served during the late war—of suffering loyalists who took refuge in this Province—of such people as yet remain in the United States, who set forth that they have been persecuted on account of their known attachment to the British Government, and wish to remove to this Province.

Captain Frazer: The memorial of Capt. Frazer was next read. He is Agent for Colonel MacLean of the 84th Regiment, and he is joined by several officers of that reduced corps in a prayer that their respective portions of land, as likewise the portions of such officers and privates who served in that regiment as may think proper to join them, may be laid out on the north side of the Great, or Ottawa, River, adjoining to Mr. Panet's Seigniory. The Committee observe that Mr. Panet petitioned for an extension of the front of his seigniory on the 26th of December, 1786. The petition of the officers of the 84th Regiment for the same tract was not filed until the 24th of last August.

It seems to be a received opinion among those who hold lands as Seigneurs, or in Fief, in Canada, that they ought to have a preference in all grants of the Crown's waste lands, adjoining to their possessions. If such a rule were to take place in this instance, it would prevent a grant to the petitioners of the 84th who served faithfully during the last war, and who have been already disappointed. They set forth that lands were promised to them at Cataracoui in the year 1784, but they are yet without any settlement. They conceive that it was His Majesty's gracious intention to indulge them in the choice of location.

Roger Stevens: Read the petition of Roger Stevens late an Ensign in Major Rogers's Corps with a hundred and fifty associates, praying for lands on Misiscoui Bay (Lower Canada) running twelve miles back from the mouth of Pike River, to be bounded on the south by the line 45°. Mr. Collins here observed that it would be proper for the Committee to have before them a plan of that part of the Province which is bounded by the line run at the 45° of north latitude, that they may see how the applications that have been made for grants of lands in these parts interfere with each other. He at the same time informed the Committee that many prior applications have been made for lands in the tract petitioned for by Ensign Roger Stevens and his associates; so that, if regard ought to be had to the priority of applications for lands, Mr. Roger Stevens cannot have the tract he prays for. The plan was laid on the table.

Colonel Eleazer Fitch: The Committee next read the petition of Colonel Eleazer Fitch who served under General Amherst in the war before last; he is joined by John Worthington with a hundred and fifty more; the petition is dated from Brattleborough in the State of . . . , the 27th of last June, praying for a grant of forty townships seven miles square each, in fee simple, and to run northward of the line 45° along Misiscoui Bay and back to the lake Memphramagog eastward; that they may remove into this Province immediately with their families, to enjoy the blessings of a free government, which was lost to them when the Colonies threw off their dependence on Great Britain. That from their endeavours to prevent that fatal step, they became obnoxious to the leaders of that time, were persecuted and suffered severe losses in consequence of their loyalty to the King. Colonel Fitch's letter to Lord Dorchester, which is filed with the petition and dated at Montreal on the 13th of September last, sets forth the wishes of the petitioners with regard to the mode they would incline to

adopt for the internal regulation of the townships they pray for, and suggesting the plan they wish to pursue for their defence. The boundaries described in this petition include the tract applied for by Ensign Stevens and associates; it likewise takes in less tracts applied for by people residing in this Province, some of these applications were made in the year 1772.

Propriety of Encouraging Emigrants: The Members of the Committee are of opinion that the increase of people is the means of advancing the wealth and strength of any country, that therefore industrious men ought to be encouraged to come from all quarters to settle in this Province (more especially those who can bring effects along with them) provided they will take the oaths prescribed and are well attached to the British Government. Men will always be disposed to support that Government that protects them in their rights and where their property is in perfect safety.

American loyalists: The Committee conceive that Americans and others who have suffered in their persons and property, on account of their loyalty to the King, and attachment to the British interest^d, who have seen and felt the misery which the people of the Colonies (now the United States) brought on themselves, by throwing off their dependence on the Mother Country, are the most likely to be, and their posterity to remain steady supporters of the British constitution, ever ready to repel any force that may attempt encroachments on our territory, and counteract the workings of our neighbours, should they prove restless.

Priority of applications: The Committee therefore submit, whether it would not be to the advancement of His Majesty's interests that petitions for lands from all Americans who have retained their attachment to the British Government, and wish to remove into this Province, be immediately granted, on condition that they settle the lands they may obtain with good subjects in a limited time. And further, whether priority of application for a grant of any particular spot ought to be considered as a preferable claim unless the first petitioner shall undertake to settle it in as short a space of time as any other person who may have applied for the same land, may propose.

The Committee desirous to lay before His Excellency Lord Dorchester what has been done in the land business referred to them, have directed Mr. Finlay, in the absence of Mr. Smith, to report progress.

HUGH FINLAY in the Chair.

Ordered to lie on the table for consideration. And ordered also that it be marked on the several petitions of the officers and privates of the 84th Regiment: "Referred to the Surveyor-General to report a Survey."

Monday, 25th February, 1788.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable William Smith, Esquire, Chief Justice; Hugh Finlay, George Pownall, Thomas Dunn, William Grant, Edward Harrison, P. R. De St. Ours, John Collins, Francis Baby, Adam Mabane, Charles DeLanaudiere, J. G. C. Delery and Le Comte Dupré, Esquires.

The Honourable J. Cochrane: A petition of the Honourable John Cochrane, for a grant of land six leagues square on the River St. Francis, and submitting

therein a plan for the encouragement of the lumber trade, read. Referred to the Land Committee.

Madame De Lanaudiere and Madame De Verchere: A memorial of Madame De La Naudiere and Madame De Verchere, of the 21st instant, praying to be confirmed in the possession of a seigniori granted by the Baron of Longueuil and Monsieur Bigot in the year 1752 and situated at Cataragui, to their deceased brothers, Messrs. Des Grais and Maricourt, read. The same, together with the papers accompanying it, are referred to the Land Committee.

Thursday, 20th March, 1788.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Henry Hope, Esquire, Lieutenant-Governor; William Smith, Esquire, Chief Justice; Hugh Finlay, Henry Caldwell, Thomas Dunn, William Grant, Edward Harrison, P. R. De St. Ours, John Collins, Francis Baby, Adam Mabane, Jos. De Longueuil, J. G. C. Delery, Sir John Johnson, Baronet; George Pownall, Chas. DeLanaudiere, Picotté de Belestre, R. A. Boucherville, John Fraser and Le Comte Dupré, Esquires.

His Lordship was pleased to order the third, fourth and fifth reports of the Land Committee to be laid on the table, for perusal, whereof follows a copy:

Extracts from the Third Report of the Land Committee.

To His Excellency The Right Honourable Lord Dorchester: In the second report which this Committee, appointed to consider the applications for grants of the waste lands of the Crown, had the honour to make, they omitted to inform your Lordship that certain papers presented by Mr. Isaac Mosely, a distressed loyalist, had been read last May, but no report thereon was then made; and as by your Lordship's Order of Reference the Committee are directed to report on his case, with all convenient speed, as likewise to report on all other applications that may require speedy decision, they again took up his memorial, wherein he sets forth, that in the month of February, 1784, he purchased a seigniori on the River Yamaska for £900 and spent the summer of that year in making the necessary preparations to receive 200 families well affected to the British Government, who had agreed to fix themselves on his lands.

He obtained leave from General Haldimand to bring his property into this country by the way of Lake Champlain in these words:

To all Officers, Civil and Military, whom it may concern, permit the bearer, Mr. Mosely, to pass from hence out of this Province and to return to it with his property by the way of Lake Champlain, without let or hindrance.

Given at Quebec, 20th February, 1784. FRED'K HALDIMAND.

The Committee observe that there is no restriction in that permit as to the kinds of effects Mr. Mosely might bring.

At his arrival in Connecticut, his ancient place of abode, he found it would be impracticable to transport the effects belonging to him and his friends (amounting to upwards of £30,000) by the way of Lake Champlain; he therefore returned to this Province with his wife and family only; and between two and three tons of leaf tobacco, which was stopped at the line 45 as inadmissible by the preventive officer at St. Johns, notwithstanding the Commander-in-Chief's permit above cited. The tobacco lay exposed to pilferage and open to the weather, and was totally damaged.

He proceeded to Quebec to obtain leave to bring his effects round from Connecticut by water in vessels of his own.

Every encouragement was held up to him by Lieutenant-Governor Hamilton, and by the officers of the Customs; General Haldimand had then left Quebec.

The collector informed Mr. Mosely that he could not, consistent with his duty, give him registers for his vessels before they were safe in this port but that he should have his (the collector's) and the comptroller's permit or license, which would protect them from seizure on the voyage.

On these assurances he wrote to his friends that they might look for a hearty welcome at this port; they thereupon embarked for this country with sanguine expectations of a cordial reception, but at their arrival here they were told that they must send back their vessels, as they could not get registers.

The following is a copy of the collector's and comptroller's permit delivered with his petition:
Port of Quebec.

These are to certify whom it may concern that in consequence of a recommendation from Lieutenant-Governor Hamilton, bearing date the 11th instant, to grant permission to Dr. Isaac Mosely, a loyalist, to transport his family and effects by sea from Connecticut, the place of his former residence, to this Province, where he has requested protection and actually become a settler, by having purchased a large tract of land for himself and a number of others, his friends under the same circumstances; we in obedience thereto have granted him this certificate to come to this port with his effects in security, agreeable to His Majesty's gracious intentions communicated to the Governor of this Province in the Secretary of State's letter of the 24th of July, 1783, he regulating himself by the resolve of Council the 24th December last. Given under our hands and seals of office at the Custom House this 12th of March, 1785. THOMAS AINSLIE, Collector. THOMAS SCOTT, Comptroller.

To His Excellency Sir Charles Douglas, Commander-in-Chief, and the Captains commanding His Majesty's ships in North America:

Mr. Mosely further sets forth: That by these unlooked-for disappointments he has been plunged into the deepest distress, his seigneurie has been taken in execution and sold from his want of ability to make the stipulated payments; if his tobacco had not been stopped he could have done honour to his engagements; his plans have been totally overset, and his friends have been disappointed, and their fortunes have been hurt, through a misconception (as he verily believes) of the true intent and meaning of His Majesty's Order-in-Council for regulating the trade between the British subjects and those of the United States of America.

That order arrived at Quebec after he had obtained the Commander-in-Chief's permission to remove into this province with his effects; the King's Order-in-Council was not intended to have had a retrospective effect, as he conceives, the vessels being his property ought also to have got register, according to the collector's intention when he permitted them to be brought round to Quebec, as he thinks. By an estimate sworn to by Mr. Mosely and supported by sundry vouchers, it would appear that the loss he has suffered by the disappointments above stated amounts to £3,782-9 this money.

The Committee consider Mr. Mosely's as a very hard case; it does not appear to them that the losses he states arose from any misconduct on his part. The opinion which was formed at Quebec with regard to the effect which the King's Order-in-Council regulating our commerce with the subjects of the United States of America operated a refusal to admit Mr. Mosely's tobacco, even by the way of Lake Champlain, for it was generally considered here that

nought but provisions, live cattle and implements of husbandry could legally be brought in, even by suffering, persecuted loyalists.

The committee are of opinion that if Mr. Mosely had been suffered to bring in his effects freely, as General Haldimand intended, he might have settled himself comfortably on his lands at Yamaska, with two hundred industrious families around him who before the late troubles as he represents considered the British Government as the best adapted to secure the subjects' rights, and who have seen and felt, since independence was granted to the subjects of the United States, that their property and every civil right is insecure, for which reasons they wished to remove to this Province, where they might enjoy the blessings of a free government, the government of Great Britain under which they were born and which they endeavoured to support in the Province of Connecticut. The Committee therefore cannot help regretting that Mr. Mosely's schemes did not succeed. They are humbly of opinion that if it is Your Lordship's will to grant Mr. Mosely's prayer for a tract of land, he may yet be able in some measure to retrieve his losses and make a settlement with good men well attached to His Majesty's Government, who may, by examples of industry, promote the welfare of this province as farmers, and as ship-builders, and traders to the West Indies, which branches they proposed to follow. Men well attached to the sacred person of His Majesty will ever at the risk of their lives and fortunes support his Crown and dignity.

Levi Allen: The Committee took next into consideration the petition of Mr. Levi Allen of St. Johns; he applies for lands for himself and an hundred associates who now live out of the province. He simply sets forth that they wish for lands to make up for losses by them sustained in consequence of the late revolution in America. The petition is dated the 22d of November, 1786. Then was read a memorial of the same Mr. Allen to Your Lordship dated the 23d of Feby., 1787, in addition to his first petition. It was received at Quebec on the 30th June last, and incloses six lists containing 2090 names. Mr. Allen calls himself agent for these people, and prays in their behalf for a tract of land in that part of this province adjoining the States of New York and New Hampshire, and lying between the Bay of Misiskoui on the west and Lake Memphramagog on the east, the line 45° on the south and the River St. Francis on the north.

The lists No. 1 and 2 contain 1779 names which seem to be written by the same hand.

No. 4 contains 126 names, which seem to have been almost all wrote by one person.

No. 6 containing 31 names appears also to have been wrote by one and the same hand.

No. 3 contains 126 signatures seemingly by different hands but like all the other lists is deficient in not mentioning where the subscribers live.

No. 5 is dated at Arlington, every name but one (there's 28) seems to have been written by the same hand.

The Committee with deference submit, whether if Mr. Levy Allen can satisfy Your Lordship that the 2090 are men of good character, whose past conduct and present attachment to Great Britain and her laws, can be ascertained, they would not be a valuable acquisition to this province and contribute greatly to its internal strength.

Peter Alaire: Read the petition of Peter Alaire, a loyalist, dated in August, 1787, praying for 20,000 acres on the River St. Francis above the Indian village, that he may immediately settle 20 or 30 families (good subjects) thereon, who would bring with them 100 head of cattle.

'Tis the opinion of the Committee that the more people of that description that may be admitted, the more valuable will this province be to the Mother Country.

Dr. Samuel Adams: Simpson Jenné and Sam'l Rose: The petition of Dr. Samuel Adams, Simpson Jenné and Samuel Rose, with 79 associates, dated the 7th of Dec'r, 1786, was read, requesting lands as loyalists; likewise the petition of Samuel Adams in behalf of himself and constituents (more than a hundred) entitled to crown lands, dated in February, 1787, were read. The Deputy Surveyor-General informed the Committee, that he has laid out a township a few miles below Kingston for these people and some of them are already settled there.

Ensign Sherwood and others, Azariah Pritchard, Major Van Alstine, Captain Grass: The petition next taken up is signed by Ensign Sherwood and others, Azariah Pritchard, a Captain; Major Vanalstine and Cap't Grass. By information from the Deputy Surveyor-General, these petitioners have had their portions of land in conformity to His Majesty's instructions.

Mr. Rocheblave: Mr. Rocheblave attended the Committee on the 15th of February, to pray that his application for lands at Toronto might be taken into immediate consideration, because the approach of the spring presses for a decision on his request. He represents his case to merit as much attention as that of any suffering loyalist from the Colonies, now the States; that from his sincere attachment to the British Government and steady adherence to his loyalty he had been driven from his possessions at Kaskakias (Fort Gage); he lost his all and was afterwards imprisoned in a dungeon in Virginia from whence he contrived to make his escape.

Lands were promised to him in this province, but he is yet without any, for which reason he prays the committee to report to Your Lordship on his application for a grant of the portage or carrying-place of Toronto. The Committee having considered Mr. Rocheblave's request as a suffering loyalist are of opinion that if Your Excellency shall see proper to establish the projected carrying-place between Toronto and Lake Leclaie (28 miles over) in consideration of Mr. Rocheblave's having been the first to point out the advantages that would accrue to the upper-country trade by opening that communication, he may, if it is Your Excellency's pleasure that it be put into the hands of an individual, be indulged with a lease of it for a limited time, provided he agrees to conform to all such regulations as may be established by Government for the transportation of goods across it. The Deputy Surveyor-General informed the Committee that the lands petitioned for by Mr. Rocheblave, in case he cannot obtain a grant of the carrying-place, are in Your Lordship's gift, none having as yet been laid off in that part of the province. He asks for 1000 acres for himself; and in a separate grant of lands for his wife, three sons and a daughter, to join his lands in such quantity as it may please Your Lordship to grant. The Committee see no objection, if it is Your Excellency's pleasure, to grant the lands prayed for

by Mr. Rochblave, provided the place he describes shall not be found to be the fittest scite for a town, in that case the lands Your Lordship may please to grant to him and his family may be set off at a convenient distance from the town.

Lieutenant Phineas Atherton: Lieutenant Phineas Atherton who served in 1760 in Watts' Rangers prays for 2,000 acres, as a Lieutenant in the late Royal Yorkers; he does not mention any particular place which he would prefer; his petition is accompanied with sundry certificates of his services during the last war.

David Harvey and 26 others: David Harvey, joined by 26 people, settled on that part of Caldwell Manor which lies on the south side of the line 45°, finding themselves in Vermont, wish to obtain grants of lands in this province desiring to live under British Government. They prefer the soil near Misiskoui Bay.

Nathaniel Petit: The memorial of Nathaniel Petit sets forth that he served ten years as a judge in the Court of Common Pleas in the Province of New Jersey; that he had been obliged to abandon that country in consequence of his endeavours to support the British cause; that he had been employed in raising men for the King's Service in which he had good success and that he has greatly suffered in his fortune. He prays for a Captain's allowance of land at Niagara. No reason appears to the Committee why Mr. Petit may not have the quantity of land he applies for, if it shall be Your Excellency's pleasure to extend the King's bounty to him.

Lieutenant Col. Butler: Lieutenant Col. Butler, in his memorial of the 12th of Nov'r, 1787, prays for lands in this Province in lieu of his right in sundry valuable tracts in the State of New York, which he lost in consequence of the active part he took in favour of Government against the revolted colonies, at a very early period of the late troubles.

From the very peculiar situation he stood in with respect to these lands when the rebellion broke out, the Commissioners for American Claims cannot, under the Act of Parliament, relieve him. He hopes, therefore, that his equitable right to a compensation will be considered by Your Excellency.

He values the right he had in these lands at £5,720, New York currency, the dollar at 8.

Lieutenant Alexander Chisholm: Lieutenant Alexander Chisholm of the Royal Battalion of the Garrison of New Providence prays for lands but no place is mentioned in his petition.

Sergeant Palmer: Sergeant Palmer of the Royal Yorkers prays for his proportion of land at Carillon.

John Lawlor and James Connel: John Lawlor and James Connel served as artificers in Quebec during the winter 1775-6; they pray for lots at Sorel, but do not say whether they wish for town or country lots.

Benjamin Holmes: Benjamin Holmes, a discharged soldier who served 29 years, prays for a town lot in Sorel and the rest of the land he is entitled to, at any place. Lots No. 34, 35, 36 in the Town of Sorel are vacant.

William Cameron: William Cameron, a loyalist, served under Brigadier-General Fraser, and prays for his proportion of land at Carillon.

Abraham and Samuel Holmes: Abraham and Samuel Holmes petition as distressed subjects, late merchants in Montreal. Samuel served as a volunteer at taking Ethan Allen prisoners in 1775; he was one of seventeen who turned out for the relief of Fort St. John. They pray for lands at Chateau Guay or at New Johnstown, with provisions and utensils for agriculture.

The Deputy Surveyor-General observed on the petitions of Lieutenant Chisholm, Sergeant Palmer, Lawlor, Connel, Ben Holmes, Cameron, and Abraham and Samuel Holmes that if Your Excellency pleases to grant lands to them, they may be laid out for them next summer in the upper parts of the Province.

John Shoemaker: John Shoemaker, a loyalist, petitions for a water lot in the Town of Sorel. The water lots have all been drawn for, but No. 34, 35 and 36 lots in other parts of the town are yet vacant and he may have one of these if it shall please Your Excellency to grant it.

Joseph White: Joseph White, a loyalist, prays for a grant of Grenadier Island to make up a deficiency in the quantity of land he is entitled to by the King's Instructions. He sets forth that he has had lands between the 7th and 8th Townships in the new settlements which were originally intended for a common. Mr. Collins observes that, if he is in possession of any part of that common, he obtained it through the mistake of some person or other. Mr. White has had his family's portions of lands, with a further bounty of 200 acres all in Elizabeth Township. It has not as yet (as Mr. Collins informed the Committee) been determined by Your Lordship whether any island in these parts shall be granted.

Joel Stone and Daniel Jones: The application of Isaac Ogden, Esq'r, in behalf of Messrs. Joel Stone and Daniel Jones, loyalists, for lands at Cananoque on the Grande or Outawa River, was considered by the Committee. A plan of the tract applied for, as surveyed by Mr. McNiff on the 23d of April, 1787, was exhibited. Mr. Stone further for himself prays for Lot 24 in the Third Township, said to be deserted by Michael and Jacob Denny.

The Deputy Surveyor-General remarks that the land of Cananoque has not been granted but that Sir John Johnson by his letter of the 5th of August last desires to have one or two hundred acres at that place, as he means to build a mill there immediately; and with regard to the lot of the Denny's, he says it is their property and can never be regranted to any person. Mr. Collins humbly thinks that the person to whom Your Excellency may please to grant these lands ought to engage to build grist mills there, as they would be of great convenience to the new settlements; and as there's iron ore in great quantity there, he ought to come under an obligation to work it.

Henry Ruiter and 381 others: Colonel Caldwell's letter dated the 5th of December, 1786, incloses the petition of Henry Ruiter, late a Captain in Rogers' Corps, and signed by 381 loyalists, the greatest number of whom were of corps that served in Canada last war and now live between St. Johns and Dutchman's Point. The petition among other things sets forth that in 1783 by General Haldimand's directions they had viewed and examined (at the expense of £50) the lands in the neighbourhood of Misiskoui Bay and back eastward towards Lake Memphramagog. They reported that they were satisfied with the soil and situation but they could not obtain the grant they expected; they therefore renew their application and now pray for eight miles in front north of the line 45° at or near Misiskoui Bay to extend eastward as far as Lake Memphramagog. The committee beg leave to observe to Your Excellency that the tract described in this petition has been repeatedly applied for prior to the year 1783.

Samuel Schwerdseger and 115 others, Germans: Read the petition of Samuel Schwerdseger, Minister of the Gospel, now living at Horick in the State of New York, dated the 10th of last April, and signed by 115 men of his parish, Germans, who have wives and children, making in all 444 souls desirous to remove from the dominion of the United States of America to live under British Government. They also pray for lands near Misiskoui Bay, but as the soil further on, northward, towards St. Francis River is equally good, a tract may be set off for them there, if it is Your Lordship's pleasure to receive them into this Province. It is a known fact that the German settlers in Pennsylvania and New York contributed greatly to raise these countries so rapidly to that thriving state which made them envied by all the neighbouring provinces, and it is the opinion of this committee that every German family which may be permitted to settle on the King's lands here will be a valuable acquisition to this Province. They will certainly thrive, and the report of their success will draw thousands of families to join their countrymen and live under the protection of the British Government.

Geo. Smyth and others: George Smyth, Esqr., of St. Johns, and others who took refuge in this Province, petition for the lands they are entitled to as loyalists about Lake Memphramagog and Pike River, presuming that they may be considered as the fittest people for settling the frontiers, seeing that they have manifested their zeal for His Majesty's Government repeatedly and at every risk and therefore that they may be looked on as men who will ever be ready to repel any attack made that way by the King's enemies. They express a great dislike of the tenure by which the lands were held under French Government and pray that their portions may be granted, as lands have been granted to loyalists in Nova Scotia and New Brunswick.

William Terril: William Terril, a suffering loyalist, prays for the lands he is entitled to by the King's bounty, as near Johnstown as possible. Mr. Collins says that he may have his allotment set off from the waste lands of the Crown nearest to Johnstown and that he may likewise have a lot in that town, if Your Excellency shall so order.

HUGH FINLAY, in the Chair.

Bishop's Palace, Quebec, 28th February, 1788.

Present in Committee: Messrs. Finlay, Collins, Grant, De St. Ours, De Lanaudiere.

Fifth Report of the Land Committee: To the Right Honourable Lord Dorchester, etc., etc.—The Committee appointed by Your Excellency in Council to examine the petitions for part of the waste lands of the Crown now on the Council table humbly report that at their weekly meeting of this day, Friday, the 14th of March, 1788 (present: Messrs. Finlay, Collins and De St. Ours), they read a petition from a hundred and seven people dated in Sussex County in New Jersey, the 29th of last September, setting forth that during the late war they were zealous loyalists and supporters of the King's interests as far as their abilities would admit; and that for their attachment to the British Government some of them suffered confiscations, some imprisonments and others were grievously fined, and they continue to suffer by oppression even to this day on account of their principles, and are desirous to become British subjects and settle a tract of land in this Province.

Joseph Smith: A letter from the Honourable John Penn to Your Lordship recommending Mr. Joseph Smith formerly of the King's Royal Regiment of New York as a good subject desiring to settle in Canada was next read.

The Committee are humbly of opinion that if the petitioners can satisfy Your Lordship of their attachment to the King's Government, an acquisition of so many good subjects would add to the strength and increase the riches of this Province.

HUGH FINLAY, in the Chair.

Council Chamber, 14th March, 1788.

Friday, 13th June, 1788.

Present: His Excellency The Right Honourable Guy, Lord Dorchester, The Honourable William Smith, Esqr., Chief Justice, Hugh Finlay, Col. Caldwell, Judge Dunn, William Grant, Edward Harrison, Francis Baby, John Collins, George Davison, J. G. C. Delery, Charles De Lanaudiere, George Pownall, Le C'te Dupré.

North West Company: The report of the Committee on the application made in behalf of the merchants commonly called the North West Company read:

To His Excellency The Right Honourable Lord Dorchester, etc., etc.,—The Committee for examining applications for the waste lands of the Crown, at a weekly meeting this day, Friday, the 28th of March (present: Messrs. Finlay, Collins, Grant and Lanaudiere), on the application of the Honourable George Davison, took into their consideration a petition and memorial from Simon McTavish and Joseph Frobisher, in behalf of the company of merchants trading with the Indians under the designation of the North West Company, and they humbly inform Your Lordship that they perused the memorial with attention; it sets forth that the North West Company is burthened with a very heavy yearly expense, for transporting on men's shoulders from Lake Superior to the Long Lake (a distance of nine miles) great quantities of goods, the manu-

facture of Great Britain, which they import every year for supplying the Indians in the North West; they are obliged to hire no less than a hundred men for this service at high wages because the carrying-place is not practicable for carts nor could even a pack horse pass through it and, to save that annual expense they propose to open a road, and pray for a grant of one acre of land in width extending quite across from Lake Superior to the Long Lake.

The Committee beg leave humbly to report on this application that they have well weighed the scope of the North West Company's request and they think the petitioners have asked too much; but as they are sensible that the intercourse with the upper countries would be greatly improved and the Indian trade much facilitated by a road between those lakes, and as the North West Company are desirous to make a cartway across that portage, the Committee humbly submit whether in consideration of the great expense that must attend that work and the great advantage that would accrue from it to the Indian trade the North West Company may not be encouraged (provided the soil is no man's property) by an exclusive privilege for a term of years to carry all goods, wares and merchandise across, between the Lakes Superior and the Long Lake, the rates of carriage to be regulated as Your Lordship may think proper to direct, on condition that the Governor-General, or Commander-in-Chief for the time being, may put the road under the management of any person or persons appointed by His Excellency, or lay it open for all His Majesty's subjects on reimbursing the North West Company a reasonable proportion of the expense incurred by making the road.

HUGH FINLAY.

Quebec, 28th March, 1788.

Ordered by His Lordship with the advice of the Board that Messrs. Harrison, Caldwell and Baby and the gentlemen of the Council residing at Montreal communicate the report to the petitioners, receive their proposals, find ways and means to make the overture known to those concerned or interested in the Indian commerce, and then to make known to His Lordship what may be expedient to be carried into execution.

Extracts from the Tenth Report of the Land Committee were read, as follows: To His Excellency The Right Honourable Lord Dorchester,—The Report of the Committee for examining applications for the waste lands of the Crown.

On the 24th of April the Committee met. Present: Messrs. Finlay, Collins and Grant.

Capt. Thos. Darcy and 7 other loyalists: Read a petition from Captain Thomas Darcy and seven other loyalists setting forth that they intended to settle in Chaleurs Bay, and had locations there in view, but Mr. Shoolbred's survey having covered the scites they had chosen they abandoned their projects in that part of the Province and pray for lands on the south side of the Grand River above the Seigneurie of Vaudreuil, in the first Township on the Long Sault.

Prior applications for these lands are lying on the table, which may not be regularly reported upon according to the rule laid down by Your Excellency, before the claims of the loyalists have been first considered.

There does not appear to the Committee any reason why lands should not be granted on the south side of the Grand River to the petitioners.

Captain George Lawe: Then read the petition of Captain George Lawe, late of the 84th Regiment, praying for lands on the carrying-place leading from the River St. Lawrence over the Rivière des Capes to Lake Timiscouata.

The Committee are of opinion that if settlements could be made speedily on that portage, it would greatly facilitate the King's service by accelerating the speed of His Majesty's couriers and be of the greatest convenience to all persons passing between this Province and New Brunswick.

As there is but very little arable land on the portage, the petitioners for tracts there will not be many. The Committee are of opinion that whoever gets lands on the road leading to Timiscouata ought to settle a family for every thousand acres he obtains on that route and that within twelve months after the date of the patent. On these conditions they are humbly of opinion that Capt. Lawe's prayer may be granted if it is Your Lordship's will to indulge him in his wish.

At a meeting of the Land Committee on Friday, 2d May. Present: Messrs. Finlay, Grant, Collins, De St. Ours and De Lanaudiere:

Mr. Rocheblave, Toronto Carrying Place: Read Mons'r Rocheblave's representation of 23rd April concerning the portage of Toronto, wherein he states that it is thirty miles over and that the carrying-place of Niagara is but nine; he therefore conceives that the price of carrying goods across ought to be increased in proportion to the distance carried as the expense of horses, carriages and servants will be three times greater at Toronto carrying-place than it is at Niagara; and if it shall be Lord Dorchester's pleasure to grant him an exclusive privilege of carrying goods across from Toronto to Lake La Claie, he will undertake it on the following terms:

He will carry merchants' goods across at 5/ cur'y pr. ct. w.t., and every pack of peltries and furs 5/ cur'y pr. ct. w.t. The charge for carrying across Niagara carrying-place is for merchandise pr. ct. w.t. 4/6 New York or 2/9¾ Quebec curr'y, for every pack of peltries 5/ New York or 3/1½ Quebec money.

Mr. Rocheblave will carry batteaux in the same proportion. He will carry His Majesty's effects for double the price now paid at Niagara, which will make six shillings pr. barrel of two hundred weight, Quebec money; provided Government will allow him equal advantages with those granted to the present contractor for carriage across Niagara carrying-place; that is to say, twenty rations per day, and that all the carriages, horses and oxen taken away or destroyed by the Indians; or lost or destroyed whilst employed in transporting the King's effects, or in consequence of orders from Government, be paid for by His Majesty.

The Committee conceive that it may be proper to learn the opinion of the merchants concerned in the Indian trade, relative to the advantages the commerce in the upper countries might reap from a carrying-place at Toronto, and likewise to lay before them the prices at which Mr. Rocheblave proposes to carry merchandise across from Toronto to Lake La Claie, if it shall please Your Excellency to suffer a road to be cut there.

Monday, 12th May, 1788.

At a meeting of the Land Committee. Present: Messrs. Finlay, Collins, Grant and De Lanaudiere.

Captain Lauchlin McLean: The Committee proceeded to read a petition from Captain Lauchlin Maclean of the 60th Regiment, for 3,000 acres of land at

St. Regis, if so much waste land is there to be found; and for the quantity short of 3,000 at that place, he prays a grant at Carillon. The Deputy Surveyor-General informed the Committee that the lands prayed for at St. Regis are reserved for the Indians; but that there are lands vacant at Carillon, and Cap't McLean may have his 3,000 there; near the tract applied for by the Officers of the late 84th, if it shall please Lord Dorchester to grant it.

Lieutenant Neil McLean: Read Lt. Neil Maclean's petition as an officer of the late 84th Regiment, for 1,400 acres of land, the remainder of 2,000 he is entitled to at Carillon; he has had 600 acres. The petitioner, if it pleases Lord Dorchester, may have his quantity with the other petitioners of the late 84th at Carillon.

Major Edward Jessup, Captain Peter Drummond, Lieutenant John Dulmage, Edward Jessup, Michael Hoofnail, The Reverend Gideon Bostwick and George Dibble: The Committee next took up the petition of Major Edward Jessup in behalf of himself, Cap't. Peter Drummond, Lieu't Peter Dulmage and Edward Jessup, half-pay Provincial officers; and of Michael Hoofnail, late of New York; the Reverend Gideon Bostwick of Massachusetts, and George Dibble, Esqr., of Connecticut, which sets forth: that Messrs. Hoofnail, Bostwick and Dibble have manifested on many occasions the strongest zeal for His Majesty's Government and affection for his sacred person, and that they have suffered much in consequence of their inviolable attachment to the cause of Great Britain; that they desire to live under the British laws and remove to this Province with their families and all the property they possess, and that numbers of families well attached to the British constitution, tho' still resident in the United States, have applied to the petitioners to promote a settlement in this province, that they may remove hither.

The petitioners therefore pray that Your Lordship may grant unto them a tract of land for the purpose of accommodating these families desirous to live under the protection of the British laws and they describe the tract as follows: of the breadth of eight miles fronting upon the south bank of the Grand or Ottawa River, viz't: four miles below and four miles above a certain stream running into the said river, so as to include the same in its centre as nearly as possible, for a length of forty miles; and then to run on in a straight line of the same breadth of eight miles, until it strikes the nearest settlements of loyalists on the River St. Lawrence.

The petitioners propose to divide this tract into townships of eight miles square, and to settle thirty-four families on every township within four years, else the proportion of land in any of the townships settled with less than 34 families to escheat to the Crown; but on the other hand where more than 34 families are settled on any township that surplus shall make up for the deficiency elsewhere.

They propose but a very small quit rent and to parcel out the lands on the same terms they may hold them by from the Crown, at the rate of 200 acres to the head of every family, and fifty acres to each person belonging to it besides.

A thousand acres are to be reserved at each of the four corners of every township, to be at the disposal of Government.

A plot of a mile square is to be set apart in every township as nearly in the centre as possible or as may be convenient, and four lots of a hundred acres each to be reserved, two of them to front on the town plot, with a glebe of 400 acres

for a clergyman, and 400 acres for a schoolmaster, together with room sufficient for a school and cemetery; all subject to such other conditions and restrictions as to Your Excellency may seem meet; and they pray that their petition may be taken into consideration soon, to enable them, should it please Your Lordship to grant their humble prayer, to give their friends timely notice to dispose of their property in the States, and in order that the petitioners may make the necessary preparations for the reception of these families on the lands prayed for.

The Committee remark on this petition that tho' the extent of land prayed for seems very great at first view, yet the tract (forty miles in length) will be equal to but five seigneuries of moderate bounds. Seigneuries before the conquest were granted to individuals without any obligation on the grantees to settle them. Here a tract of eight miles square is proposed to be settled by thirty-four families in the course of four years; and supposing every family to consist of five souls, the number of good subjects would be increased in that time in the settlement of five townships by 830 new settlers, adding force to this Province, for it is to be presumed that none but those whose attachment to the King and his Government is known can be admitted.

A seigneurie or township of eight miles square will contain in superficial acres 40,960; 34 families, or 170 persons at 160/240170 acres each would take up 40,960.

But the project of the petitioners is to retain in their own hands a certain quantity of land in compensation for trouble (and perhaps expense) in conducting the plan of settlement.

They propose to cede 200 acres to the head of each family and 50 acres to his wife and every child.

A township as above stated will contain 40,960 acres, 34 families will share 400 acres each or 13,600; reservations: 1,000 at every corner, 4,000; a town plot, 640; reservation near the town, 400; a glebe for a clergyman, 400; land for a schoolmaster, 400; (total), 19,440. There will remain in every township for the petitioners 21,520 acres or 3,000 acres to each of the seven.

The Committee humbly conceive that the general survey ought to be made by the Surveyor-General of the province or his deputy and that the expense of it ought to be paid by the petitioners. And that the whole tract may be regularly settled, no allowance ought to be made for the surplus settlers on any of the townships, but that 34 families shall be settled on each in the time proposed; and if it appears to Your Lordship that the project, if carried into execution, might add strength to the Province and increase its riches, the number of townships may be extended all the way to the settlements of the loyalists on the River St. Lawrence, as prayed in the petition; all which is humbly submitted to Your Lordship.

Hugh Finlay in the Chair.

Council Chamber, Quebec, 12th May, 1788.

Captain Thos. Darcy and other loyalists: The report of the Committee on the petition of Capt. Thomas Darcy and other loyalists from Chaleurs Bay, read.

Ordered by His Lordship with the advice of the Council that the Surveyor-General lay out a tract of thirty thousand acres according to the prayer of the petition and that there be assigned to the petitioners, within the same, and to other loyalists willing to associate with them, such proportions as have been surveyed and located for other loyalists in the new townships on the River

St. Lawrence, giving to each the usual certificates, pledging the faith of the Government for the Royal grant, upon application therefor, within such period as may be in such certificate expressed.

Capt. Lauchlin McLean and Lieut. Neil McLean: On reading the reports of the Committee relating to the petitions of Captain Lauchlin McLean and Lieut. Neil McLean, His Lordship and the Council concur in the reports of the Committee and order that the Surveyor-General report a survey of the tracts, and the Attorney-General a draft of the patent in favour of the petitioners respectively.

Mr. Rocheblave: On reading the report of the Committee relating to the petitions of Mr. Rocheblave concerning the portage at Toronto, ordered by His Lordship with the advice of the Board that Messrs. Caldwell, Harrison and Baby and the gentlemen of the Council residing at Montreal communicate the report to the petitioner, receive his proposals, find ways and means to make the overture known to those concerned or interested in the Indian commerce, and then to report to His Lordship what may be expedient to be carried into execution.

Major Edward Jessup and others: On reading the report of the Committee relating to the application of Major Edward Jessup and others, ordered to lie on the table.

Thursday, 19th June, 1788.

Present: His Excellency The Right Honourable Lord Dorchester, The Honourable Mr. Chief Justice Smith, Mr. Finlay, Col. Caldwell, Mr. Dunn, Mr. Grant, Mr. Harrison, Mr. Baby, Mr. Collins, Mr. Davison, Mr. Mabane, Mr. De Lanaudiere, Mr. Delery, Mr. Pownall and Mr. Dupré.

An estimate of expenses, by Mr. Collins, Deputy Surveyor-General, of a survey of lands to be laid out for the loyalists in the upper districts, was read, referred by His Lordship, with the advice of the Council to the Chief Justice, Mr. Dunn, and Mr. Delery, to take the same into consideration and report with all convenient speed.

Monday, 30th June, 1788.

Present: His Excellency The Right Honourable Lord Dorchester, The Honourable Mr. Chief Justice Smith, Mr. Finlay, Col. Caldwell, Mr. Dunn, Mr. Grant, Mr. Harrison, Mr. De St. Ours, Mr. Collins, Mr. Baby, Mr. Mabane, Mr. De Lanaudiere, Mr. Delery, Mr. Pownall and Mr. Dupré.

The following report was read:

My Lord: At a meeting of the Committee, viz., the Chief Justice, Mr. Dunn and Mr. Delery, appointed by Your Lordship on the 19th instant to consider Mr. Collins's estimate for the expense of certain surveys intended to be made in the upper districts, the Committee humbly report:

That they were attended this day by Mr. Collins, and upon his representation were of opinion that it does not appear to be expedient at present to make any additional surveys within the several townships, in parcel already surveyed into lots, there being sufficient for the employment of the settlers in the cultivation thereof for several years to come.

That to satisfy the officers and privates of the 84th Regiment it will suffice to take two stations on the Outawa River at such a distance from each other,

as may serve for the side of a convenient township of thirty or forty thousand acres, and to run the course of the river between them, and afterwards to grant them their proportions between the two parallels perpendicular to the main course of the riverside line.

That a similar mode will be proper for accommodating the loyalists who may apply for other townships; except that in the latter case it may be necessary to run out the lots of one or two tiers from the front to avoid confusion in their locations, and that they may the more speedily proceed to the culture of the lands. All of which is most humbly submitted to Your Lordship's great wisdom.

WM. SMITH, Chairman.

Quebec, 23d June, 1788.

His Lordship and the Board concur in the report of the Committee.

The report of the Committee on the application of sundry Canadian gentlemen and others, who served in the siege of the Fort of St. John and in the affair of Bennington, read as follows: The Committee, appointed to consider the applications for waste lands of the Crown, beg leave humbly to report to Your Excellency, that at their meeting this day; present: Messrs. Finlay, Collins, Grant and De Lanaudiere.

They read the memorial of Monsieur Berthelot D'Artigny inclosing a paper intituled "Retour des personnes qui se sont trouvés dans le blocus de St. Jean, et d'autres dans l'affaire de Bennington, à qui Milord Dorchester veut bien accorder des terres pour recompense de leurs services."

The list contains fifty-one names and it is certified by the Honourable Jos. De Longueuil to be correct.

The memorialist in behalf of the persons whose names are entered on the list prays that Your Excellency may order grants of lands to be made to each according to the rank in which he served.

The Committee on the information of John Collins, Esqr., the Deputy Surveyor-General, find that there are vacant lands appertaining to the Crown adjoining the tract set apart for the Canadian companies, and if it shall be Your Lordship's will to grant the request of the petitioners lands may there be laid off for them in such proportions as it may please Your Excellency to order; which is most humbly submitted.

HUGH FINLAY, in the Chair.

Quebec, 27th June, 1788.

His Lordship and the Council concur in the report of the Committee. Ordered that the Surveyor-General report a survey.

Asa Porter: The report of the Committee on the application of Mr. Asa Porter for thirty thousand acres of land on the east side of Lake Memphramagog in Lower Canada read as follows: At a meeting on Friday, the 20th of this month; present: Messrs. Finlay, Grant and De Lanaudiere. They considered the petition of Colonel Asa Porter referred to this Committee by Your Lordship, which sets forth that at the breaking-out of the late troubles in the colonies, now the States of America, he took a decided part in support of the King's government, and in consequence thereof he suffered greatly in his person and property. He applied to the Commissioners for American claims for compensation of his heavy losses, but he found no relief from that quarter. Colonel Dundas' indorsation on the back of his written application to that Board

runs in these words: "As Mr. Porter has presented no claim within the time limited by Acts of Parliament, the Commissioners have no power to consider his losses or services. (Signed) T. DUNDAS."

He further represents that on the cessation of hostilities he was desirous to become a settler in this Province and he now prays that he may enjoy the protection of that government in support of which he has suffered and begs to obtain a tract of land so situated as that he may bring in his property from New Hampshire in cattle. He prays for 30,000 acres on the east side of Lake Memphramagog in the angle formed by the said lake, and the line 45° of n. latitude, said tract to extend northerly from the said line by said lake eight miles on a straight line, and thence easterly to comprehend the quantity of 30,000 acres aforesaid.

He states that he can bring many people into this Province from the neighbouring states, well known to have been firm friends of the British Government, and who retain their attachment to the Mother Country; who stood foremost in openly asserting the rights of Great Britain and who suffered on that account.

He could induce shipbuilders (who are now out of all employment in the States) to remove to the new town at William Henry, a place which is much to be preferred in point of situation for shipbuilding, to any building town in New England.

He wishes the tract he prays for as some compensation for his services, losses and sufferings, may be granted to him in free and common soccage, and under such restrictions as to Your Lordship may seem meet.

The Committee will not trouble Your Excellency with a repetition of their opinion touching the many advantages that would accrue to this Province from the accession of numbers of industrious settlers from the neighbouring states who can bring certificates of their good behaviour and steady adherence to their loyalty during the American troubles.

The acquisition of expert shipbuilders would be of the most solid advantage to the commercial interest of this Province; there's abundance of oak timber of superior quality in the upper parts of this Province which can with ease be floated down to William Henry, a place well situated for shipbuilders. Great quantities of oak may be imported from Lake Champlain in exchange for the manufactures of Great Britain.

The Committee beg leave humbly to observe that if it is Your Lordship's pleasure to give a preference to prior applications they conceive that the petition of Col. Eleazer Fitch of the 14th of Sept., 1787, will cover the tract applied for by Mr. Porter. All of which is most humbly submitted to Your Excellency's wisdom.

HUGH FINLAY, in the Chair.

Quebec, 28th June, 1788.

Ordered by His Lordship with the advice of the Council, that the petitioner be notified that the merits of his petition will be taken into consideration, when he thinks proper to prefer a supplemental petition for some other tract of land, a prior application having been made by Colonel Fitch for the tract described in his present petition.

Tuesday, 22nd July, 1788.

Present: His Excellency The Right Honourable Lord Dorchester, The Honourable William Smith, Esqr., Chief Justice; Hugh Finlay, Henry Caldwell, Thomas Dunn, William Grant, Edward Harrison, P. R. De St. Ours, John Collins,

Francis Baby, Adam Mabane, Chas. De Lanaudiere, J. G. C. Delery, Le C'te Dupré, Esquires. Read the fifteenth report of the Committee for examining applications for grants of the waste lands of the Crown, held on the 20th June, Messrs. Finlay, Grant, Collins, De Lanaudiere present:—The Widow of Lieutenant Duncan Murray: Read the petition of the Widow of Lieu't Duncan Murray formerly of the 84th Regiment, on behalf of herself and children, as well as on behalf of Quarter-Master John Murray of the said Regiment. She prays for 4,000 acres of land near the Fort of Niagara on the west side of the river, 2,000 in right of her deceased husband, L't Murray, and 2,000 for Quarter-Master Murray, together with such quantity as she and her children may be entitled to. The Committee are of opinion that her prayer cannot be granted, but that her late husband's proportion of land, with the lands that Quarter-Master Murray may be entitled to, together with what it may please Your Lordship to grant to the Widow Murray and her children may be laid out for them on the Outawa River to join the lands applied for by the officers of the 84th.

Col. Wm. Fortune: On the 2nd of July the same members that attended at the last meeting, joined by Mr. De St. Ours, assembled and read the memorial of Col. William Fortune referred by Your Excellency on the 26th June.

He therein states that he is a native of Ireland, that he resided 24 years in South Carolina where he was possessed of great landed property at the commencement of the late troubles. He opposed the American leaders from the beginning and did all that lay in his power to suppress the rebellion.

He was made Captain of Guides and was afterwards appointed to the Command of the Militia by the King's General at the head of the forces in South Carolina, and he acted with His Majesty's troops until the evacuation of Charleston, when he embarked with his family for England.

He has returned to America with his wife, six children and two servants to settle in this Province.

He prays for lands on the south side of the Outawa River in such proportion as he may be entitled to from his commissions and the number of persons in his family as he intends to begin to improve the same immediately.

The petitioner shews very ample certificates of his having been well esteemed and usefully employ'd by the Commanders of His Majesty's Forces in Carolina, and that he was active on service.

The Committee humbly inform Your Lordship that Colonel Fortune may have good lands on the Outawa River, in such quantity as it may please Your Excellency to order to be laid off for him, near the lands pitched on by the officers of the 84th Regiment or further up the River.

Col. Eleazer Fitch: The Committee proceeded to read the memorial of Colonel Eleazer Fitch praying permission to alter the description of a tract of land petitioned for by him on the 14th of September, 1787.

The Committee find that they had considered that petition to be comprehended in a large tract applied for by Col. Fitch, John Worthington and others, which application was reported on the 3d of last January, but on re-perusing Col. Fitch's petition they perceived it to be a distinct application; and it sets forth that early in life the petitioner entered into His Majesty's service; he

commanded a Provincial Regiment during the War of 1755. He served under General Amherst and was at the reduction of Canada.

That at the commencement of the late rebellion in America he took a decided and active part in opposing the measures pursued by those who were endeavouring to mislead the people.

That he became obnoxious to the demagogues, was deprived of his office of sheriff, was persecuted, accused of high treason against the state, imprisoned for six months, and then bound over in the sum of ten thousand pounds to stand trial. In 1780 he was tried and tho' acquitted was condemned to pay his own costs, with all the costs of his prosecution.

That by these persecutions on account of his steady adherence to his loyalty, he has been reduced from affluent circumstances to a state of dependence and distress. He states his losses to amount to £7,110 lawful money at 6/ per dollar.

He prays for a grant of land 14 miles square on the east side of Lake Memphramagog, bounded on the south by the line 45° on such terms as may be consistent with His Majesty's instructions to Your Excellency relative to lands to be granted to the King's loyal subjects in America.

He concludes by stating that he has twelve children and forty grandchildren whom he wishes to deliver from the tyranny and oppression of congress and place them where they may be free, safe and happy, which he is sensible can be no where so effectually done as within the British Government. And he prays that if the tract by him described cannot be granted to him, that an equal quantity may be laid out for him wherever His Excellency Lord Dorchester may think proper, which he will thankfully accept and improve to the best in his power.

The Committee next read his memorial of the 26th June last, praying that the tract described in his petition of Sept., 1787, may begin at the eastern side of Lake Memphramagog, where the line of the Province crosses that lake, thence running east and bounding south on said line three leagues, thence northeasterly in the nearest and most direct course to the western branch of the River St. Francis, thence down said river until it comes to the place where the stream that flows from the north end of Lake Memphramagog empties itself into the said River St. Francis, thence southerly along the eastern bank of the said stream and the eastern bank of Lake Memphramagog to the first-mentioned boundary.

The Committee on looking into the survey of Lake Memphramagog and St. Francis River do not find the westerly branch laid down; but they find the north end of the stream which issues from the lake is about seventeen miles in a northeasterly direction from the easterly boundary described in Col. Fitch's memorial, so that, supposing no westerly branch of St. Francis River to exist, to draw a line from the said easterly boundary on the line 45° to the mouth of the stream issuing from Lake Memphramagog and which falls into a lake called by the Indians Saswanenepus (and so marked on the Survey) the tract last prayed for would contain less than that described in the petition of the 14th Sept., 1787.

The Committee perceive no inconvenience that can arise to the Crown from altering the bounds as prayed for, as soon as it shall please Your Lordship to grant lands near the line 45°.

They deem it to be unnecessary to repeat their remarks on the manifold advantages that would accrue to this Province in having those parts immediately settled with people well attached to Great Britain and to her government, and who have a reverence for her laws. They are of opinion that the petitioner may be able to settle rapidly such tract as it may please Your Lordship to grant him.

with industrious families under that description. All which is nevertheless most humbly submitted to Your Lordship's wisdom.

HUGH FINLAY, in the Chair.

Quebec, 2d July, 1788.

Read the sixteenth report of the Committee:

To His Excellency The Right Honourable Guy, Lord Dorchester, etc.:

The Three Canadian Companies: Report of the Committee (viz.: Messrs. Finlay, Collins, Grant, De St. Ours and De Lanaudiere) on the petition of Cap't. De Rouville, Captain De Boucherville and Captain Desaunier, in behalf of themselves, and for the rest of the officers of three Canadian Companies, who served during the last war, and for the soldiers of those companies and on the memorial of Asa Porter.

The petitioners pray that they may be considered in the distribution of the lands which it has pleased His Majesty to allow to loyal subjects in consideration of their services, according to their rank, and that these lands may be laid off for their use on the banks of Lake St. Francis above Montreal.

The petitioners further pray that they may be furnished with provisions.

The Committee from the information of Mr. Collins, the Deputy Surveyor-General of Lands, find that the lands prayed for are not granted, so that Captains De Rouville, Boucherville and Desaunier, if it shall please Your Lordship, may have such portions at the Lake St. Francis as Your Excellency may order to be laid off for each; and any other officer or soldier making application for lands in consequence of his having served in one of the three companies, may there have such portion laid off for him as Your Lordship may please to direct.

As Your Excellency's reference to this Committee authorizes them to report on claims and applications for lands only, they make no remark on the request made by the petitioners for provisions.

Colonel Porter: The Committee proceeded to read a memorial from Colonel Asa Porter to Your Lordship praying that the 30,000 acres of land for which he petitioned Your Excellency on the 13th of May last may be laid off for him adjoining to whatever tract may be hereafter granted to Col. Eleazer Fitch, as he finds the place he first wished to locate is covered by a prior application.

The Committee humbly inform Your Excellency that their report on Mr. Porter's original application was made on the 28th June. They are of opinion that if it shall seem meet to Your Lordship to grant his prayer for a tract of vacant lands of the Crown, they do not see any objection to its being laid off adjoining such lands as it may please Your Excellency to grant unto Col. Fitch. All which is most humbly submitted to Your Lordship's wisdom.

HUGH FINLAY, in the Chair.

Quebec, Council Chamber, 11th July, 1788.

Three Canadian Companies: The report of the Committee on the petition of Captains De Rouville, De Boucherville and Desaunier, in behalf of themselves and the other officers, as well as privates of the three Canadian Companies, read; ordered by His Lordship with the advice of the Council that the Surveyor-General report a survey, and the Attorney-General a patent.

Colonel Fitch, Colonel Porter: The reports of the Committee on the petitions of Colonel Fitch and Colonel Porter read. Referred by His Lordship with the advice of the Council to the Chief Justice and the whole Council who, if they shall be of opinion in favour of the prayer of the petitioners or either of them, are charged therewith to state the reasons upon which the same shall be founded.

Wednesday, 23rd July, 1788.

Present: His Excellency The Right Hon'ble Lord Dorchester, The Hon'ble William Smith, Esquire, Chief Justice; Hugh Finlay, Henry Caldwell, Thomas Dunn, William Grant, Edward Harrison, P. R. De St. Ours, John Collins, Francis Baby, Adam Mabane, Charles De Lanaudiere, J. G. C. Delery, Le C'te Dupré, Esquires. Read the eighteenth report of the Committee in the words following, viz't (extract):

Isaac Mosely: The memorial of Isaac Mosely was next considered; 'tis dated the 14th of this month and referred by Your Lordship to this Committee on the same day.

He therein repeats his prayer of Feby, 1787, for a tract of land on the River Yamaska or if that cannot be granted, a tract on the east side of Lake Memphramagog, but if he can obtain neither of these grants, he prays for a tract adjoining Mr. Dunn's Seigneurie, part of which (about four miles square) lies north of the line 45°, the other part being south of the line and in Vermont; and he describes the tract thus: beginning at the province line on latitude 45° at a point twenty-one miles east of the eastern bank of Misiscoui Bay, then running north seven miles, thence west and parallel to the Province line, until it comes to lands already granted, thence southerly and bounded by said granted lands until it comes to Misiscoui Bay and Mr. Dunn's lands until it comes to said Dunn's north-east corner, thence south to the Province line, thence east to the first-mentioned bounds.

The memorialist concludes by assuring Your Lordship that he can immediately settle that tract which will make . . . Townships, with good farmers, people of known attachment to His Majesty and the British Constitution.

The Committee humbly represent that they stated Mr. Mosely's hard case in their third report to your Lordship on the 28th of last February.

If when it shall seem meet to Your Excellency to order lands to be laid out near the line 45°, to those who have applied for tracts in that quarter, and the petitioner, Mr. Mosely, may be indulged with a grant of one of the tracts he has described in his sundry applications, the Committee conceive that he may be able to bring skilful husband-men into the Province; and if, as he says, the settlers he will import shall be attached to the British Constitution, their being seated near the line may greatly strengthen this country, but the Committee beg leave again humbly to observe that there have been sundry applications made for these lands, prior to any of Mr. Mosely's petitions; but it will always remain with Your Excellency to grant those lands to such persons as Your Lordship may consider to be best entitled to a preference, whether for past services or as compensation for losses and sufferings on account of the petitioners' adherence to their loyalty, or to petitioners having more ability to settle and cultivate those tracts in the time prescribed than other petitioners for the same tract.

All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

By order of the Committee.
Quebec, 16th July, 1788.

HUGH FINLAY, in the Chair.

Lieut.-Col. Jas. Holmes: The Committee beg leave to add their report on the memorial of James Holmes, Lieutenant-Colonel of the late Corps of West Chester Refugees, commanded by Col. James Delancey, praying that he may be permitted to choose between Johnstown and the head of the Bay of Quinte such proportion of land as he may be entitled to on a certain certificate signed by Col. Delancey, which is annexed to his memorial in the following words, viz't:

I was for many years before the late contest between Great Britain and America acquainted with Col. James Holmes, late of West Chester County; have frequently been told and believe he possessed very considerable property in the County of West Chester. His private character was unblemished, he discharged his duty in the several offices he held both civil and military to universal satisfaction; he has suffered much in person and property in the late contest; after escaping a lengthy imprisonment he joined the Corps of West Chester Refugees under my command and was appointed Lieut.-Colonel of the said Corps and had the command of almost every party that was sent against and in pursuit of the enemy in all of which he distinguished himself as a brave and good officer. JAMES DELANCEY.
New York, 7th June, 1783.

Mr. Holmes further prays that when he shall have pitched upon a tract to his liking he may have leave to call on a surveyor to measure off the quantity Your Lordship may please to allow him.

Capt. Simeon Covell: The Committee further report on the memorial of Simeon Covell, a reduced Captain of His Majesty's late Loyal Rangers, referred to them by Your Lordship.

That he prays for leave to fix on the quantity of land he may be entitled to in consequence of the Royal bounty, and such additional bounty as it may please Your Excellency to extend to him, between Oswegatche and Cataracoui.

The Committee on the information of the Deputy Surveyor-General humbly represent that the Messieurs MacDonnald, Deputy Surveyors, are at this time laying out three townships by Your Lordship's order in that part of the country where Colonel Holmes and Capt. Covell wish to settle, and if it shall please Your Excellency to give directions to Mr. Collins concerning the quantity of land Your Lordship pleases to allow to these gentlemen, they may be put in possession without delay.

HUGH FINLAY, in the Chair.

17th July, 1788.

Widow of Lt. Duncan Murray: On reading the report of the Committee relating to the petition of the widow of Lieutenant Duncan Murray, formerly of the 84th Regiment: Ordered to be recommitted for further examination and report.

Col. Will'm Fortune: On reading the report of the Committee upon the reference of the petition of Colonel William Fortune: Ordered by His Lordship with the advice of the Board, that the Surveyor-General report a survey of one thousand acres for Col. Fortune.

Jean Baptiste Dumas: On reading the report of the Committee relating to the petition of Jean Baptiste Dumas: Ordered by His Lordship with the advice of the Board, that the Surveyor-General report a survey.

Lt.-Col. Jas. Holmes: On reading the report of the Committee relating to the petition of Lieu't-Col. James Holmes: Ordered by His Lordship with the advice of the Council, that the Surveyor-General report a survey of seven hundred acres of land for him.

Captain Simeon Covell: On reading the report of the Committee relating to the petition of Capt. Simeon Covell, a reduced Captain of the Loyal Rangers: Ordered by His Lordship with the advice of the Council, that the Surveyor-General report a survey of seven hundred acres of land for him.

Wednesday, 22d October, 1788.

Present: His Excellency The Right Honourable Lord Dorchester, The Honourable William Smith, Esqr., Chief Justice; Hugh Finlay, George Pownall, Thomas Dunn, Henry Caldwell, Edw'd Harrison, William Grant, John Collins, Francis Baby, Adam Mabane, Chas. De Lanaudiere, J. G. C. Delery, Le C'te Dupré, Esquires.

His Lordship ordered to be read the 41st Article of His Majesty's Instructions in favour of the Corps, late the 84th Regiment, in the words following, viz't:

And whereas upon the raising and establishing the Corps, late the 84th Reg't of Foot, we did promise and declare that the officers and privates of the said Corps should when reduced be entitled to and receive grants for certain allotments of lands in proportion to their respective ranks therein, it is our will and pleasure that you do in manner as herein before directed grant warrants of allotment and survey to such of the officers and privates of the said late Eighty-fourth Regiment of Foot now reduced who shall be willing to settle and become inhabitants of our Province of Quebec, and shall apply for the same for such quantities of land as they shall be respectively entitled to, in consequence of our said promise and declaration contained in our instructions to our Governors of New York and North Carolina, dated the 3d April, 1775, that is to say:

To Field Officers, 5,000 acres; Captains, 3,000 acres; Subalterns, 2,000 acres; Non-Commissioned Officers, 200 acres; privates, 50 acres. And that the surveys be made and grants for the same delivered to them respectively free of expense as hereinbefore is directed, provided nevertheless that every commissioned and non-commissioned officer or private belonging to the said late 84th Regiment of Foot, who shall claim and apply for lands in our Province of Quebec as aforesaid, shall declare upon oath that no land has been obtained by him in any of our other provinces in America under our Royal declaration as aforesaid.

Read also a petition from Sir John Johnson, Bart, and a memorial of Lieut.-Col. Butler and others, as follows, viz.:

To His Excellency The Right Honourable Guy, Lord Dorchester, Captain-General and Governor-in-Chief of the Colonies of Quebec, Nova Scotia and New Brunswick, and their dependencies, Vice-Admiral of the same; General and Commander-in-Chief of all His Majesty's Forces in the said colonies and the Island of Newfoundland, &c.

Sir John Johnson, Baronet: The memorial of Sir John Johnson, Baronet, Lieu't Colonel-Commandant of His Majesty's late Provincial Regiment called the King's Royal Regiment of New York, humbly sheweth that your memorialist and the officers of his said regiment very early evinced their loyalty and attachment to His Majesty's person and government; and that having served faithfully

and zealously and shared equally in the dangers and fatigues from the commencement to the conclusion of the late unhappy war, they humbly submit their pretensions to Your Lordship's consideration; and though they cannot claim a right, they hope they may be considered to have equally merited the same bounty and indulgence that is granted to the officers of the late 84th Regiment by His Majesty's Instruction to Your Lordship dated the 23d day of August, 1786.

Your memorialist therefore in behalf of the officers of his regiment prays that the same proportion of land may be granted to them that is ordered by the aforesaid Instructions for the officers of the said 84th Regiment and your memorialist as in duty bound will ever pray, &c., &c. JOHN JOHNSON.
Montreal, 23rd Sept., 1788.

Lieu't Col. Butler: To His Excellency The Right Honourable Guy, Lord Dorchester, etc., etc.

The memorial of Lieu't Colonel John Butler and the officers of the late Corps of Rangers and Indian Department at Niagara humbly sheweth that Your Lordship's memorialists having left their families and properties at the commencement of the late troubles in America and served faithfully during the war, and now settled at Niagara, do humbly beg that Your Lordship will be pleased to consider their services and allow the officers and non-commissioned officers such additional quantity of lands as the 84th Regiment has received. And your memorialists as in duty bound shall ever pray. JOHN BUTLER, Lieut.-Col.; PETER TENBROOK, Capt.; ANDREW BRADT, Capt.; JACOB BALL, Lieut.; TH'S BALL, Lieut.

The opinion of the Board being desired by His Lordship, the Council concurred with His Lordship in granting the prayer of the petition and memorial in favour of all such officers as have improved the lands already granted to them as reduced officers since the Peace of 1783.

And it is referred to the Surveyor-General or Deputy Surveyor-General to make returns of the locations of the petitioners; and he is directed to give them certificates thereof under his hand as further testimonials of the faith of government for issuing the patents pursuant to His Majesty's Instructions, if they shall apply for their several locations in the course of one year to be computed from the first day of May next.

But it is to be understood that deductions are to be made of all such tracts as have been already granted to any of the objects of this order, that upon the whole they may receive equivalents with the Corps of the 84th Regiment.

Read the nineteenth report of the Committee in the words following, viz't: To His Excellency The Right Honourable Guy, Lord Dorchester, etc.

The Committee appointed to consider the applications for the waste lands of the Crown.

Present: Messrs. Finlay, Collins, Grant, Lanaudiere and St. Ours, who beg leave humbly to report, that they read the petition of William Dummer Powell, Esq'r., of Montreal, Barrister-at-Law, dated the 14th of July, stating that he was among the first who in April, 1775, associated in Boston to support the laws and the rights of the Sovereign, and he carried arms during the whole of General Gage's command. He forfeited his right to lands in Massachusetts by his loyalty having been declared by a provincial law an alien incapable of inheritance.

He solicits a grant of land, to repair to his children the loss they will sustain by their father's loyalty, lying on the south side of the River Outawa between the upper boundary of Mr. Lotbiniere's seigneurie, and the lower boundary of that of Mr. De Longueuil, in such quantity as Your Lordship may judge meet.

The Committee humbly inform Your Excellency that townships are laid out and to be laid out by Your Lordship's commands for loyalists at the place where the petitioner prays to have his lands, so that if it shall be Your Excellency's pleasure to grant his prayer lands may be set off for him in one of those townships.

Isaac Winslow Clarke: The petition of Isaac Winslow Clarke was next read, praying for lands on the Outawa River.

He represents that he served ten years in the commissary line and that he left Boston at the beginning of the rebellion and has sustained losses in lands and otherwise in consequence of his loyalty.

As the petitioner does not mention any particular situation on the Outawa River, the Committee are humbly of opinion that he may have such portion of land as it may please Your Excellency to allow him, near the lands laid off for the 84th Regiment.

Read the twentieth report of the Committee in the words following, viz.: To His Excellency The Right Honourable Lord Dorchester, etc.

The Committee appointed by Your Excellency to examine petitions for the waste lands of the Crown, now lying on the Council table, humbly report that on the 6th of August (present, Messrs. Finlay, Collins and Grant), they examined the petition of Samuel and John McKay, late of Sir John Johnson's Corps reduced stating that their father, Cap't Samuel McKay, was at the blockade of St. Johns in 1775 and on service with General Burgoyne; they therefore pray that the lands to which their father would have been entitled, had he lived, may be bestowed on his widow, their mother, and they further pray that their portions as Ensigns in Sir John's Corps may be laid off for them, without mentioning any particular location.

If Your Excellency sees no impropriety in the prayer of their petition in their mother's behalf, a Captain's portion may be laid off for Widow McKay from the waste lands of the Crown, between the lower and upper settlements, as likewise the lands for her sons (the petitioners), reduced Ensigns.

Capt. La Motte: Read the memorial of William La Motte, stiling himself a Captain in one of the late Canadian Corps and stating that he was in active service during the whole war. The Committee humbly conceive he may be put on a footing with the other officers of Canadian Corps and that he may have lands, if Your Excellency pleases, at the place where the rest of the Canadian officers have drawn lots.

Capt. Caldwell: The petition of Capt. Caldwell, late of Lieut.-Col. Butler's Rangers, praying for a grant of lands to his sons, William and James, of a certain marsh at Detroit.

The Committee on the information of Major Mathews humbly set forth that the marsh prayed for is situated at the entrance of the River Detroit, on the north side of Lake Erie; it is about two miles in front by six in depth and is only fit for grazing cattle. It lies between a small grant made by Indians to some officers of the Indian Department, who served in the war in that country, and a later grant from the same, of six leagues, which Capt. Caldwell procured at considerable expense to himself and which he gave up to Government for the purpose of extending the settlement occupied by disbanded Rangers and meri-

torious loyalists. If it is Your Excellency's pleasure to grant the land prayed for, the Committee conceive that the improvement of the marsh would be of public benefit. When Major Mathews laid out the settlement for Rangers and loyalists the marsh was left out unfit for improvement.

Lieut. Henry Hay: Lieutenant Henry Hay prays for his allowance of lands, as a reduced officer of Sir John Johnson's Corps, on the Grand River; and further he prays for lands for his mother, the widow of the late Lieutenant-Governor of Detroit, who is left in distress with five children to support.

Lieut. Hay's allowance may be set off on the vacant lands between the upper and lower settlements and such allowance as it may please Your Excellency to order for Widow Hay and her children may be laid off next to her son's lands.

Lieu't. Arch'd McDonnell: Lieutenant Archibald McDonnell's (of the late 84 Reg't) petition sets forth that he has had 500 in part of 2,000 acres of land to which he is entitled as a reduced officer of that corps, and he prays for the remaining 1,500 acres on the island called Grande Isle at the carrying-place opposite to Kingston in the District of Mecklenburg.

The Committee find that that island is claimed by Messrs. Curots of Montreal under grants made during the French Government. Their pretensions have been referred to the Land Committee by Your Lordship who have not yet been able to make a report thereon.

James McDonnell, Major of Militia: James McDonnell, Major of Militia, prays as heir-at-law to his brother, Capt. Lieut. John McDonnell of the First Battalion of the King's Royal Regiment of New York, who fell in action in 1777 near Fort Stanwix, for the land which his brother would have had if he had lived. No place of location is pointed out but if it pleases Your Lordship to favour the petitioner, he may have lands in one of the townships laid out this year.

Capt. Hugh Munro: Hugh Munro, Captain in the late Loyal Rangers, sets forth in his petition that he has drawn 800 acres of land but very inconveniently situated for a farmer with respect to water for his cattle. He prays for an addition of one acre and a half in front to run back the depth of two concessions, that he may secure a proper watering-place for his stock. The addition he prays for is described as lying in a tract adjoining his 800 acres, reserved for the Oswegatche Indians. He founds his prayer on a presumption that Government will shortly purchase that tract and distribute it among the loyalists.

The Deputy Surveyor-General informed the Committee that Captain Munro drew four lots, No. 22 and 23, in the First Concession, and the like numbers in the Second, with a half of Lot No. 4 in the Sixth Concession, which contain all the land he is entitled to, unless Your Excellency chooses to indulge him with a further grant.

As to his representation concerning an intended purchase by Government from the Indians, his neighbours, the Committee conceive it is made with an intention to found a plea of prior application, in case these lands may be purchased hereafter by the Crown for the use of the loyalists and others.

Capt. Simeon Covell: Simeon Covell's petition states that he has not drawn any land as yet as a reduced Captain of the late L. Rangers.

The Deputy Surveyor-General by Your Excellency's order sent a copy of the minute of Council made upon the XVIII report of this Committee dated

the 16th of July last, relative to Capt. Covell, to the Deputy Surveyors then laying out lands to the end that they might have lots in that part of the country they wished to settle in.

Adam Impey: Adam Impey, late of the King's Royal Regiment of New York, sets forth that his father, himself, and five brothers, on account of their loyalty and attachment to the British cause, forsook good settlements in the States. They served under Sir John Johnson at Fort Stanwix. The petitioner married the widow of Lieut. Henry Hare of the Indian Department, and in consequence of that marriage he is burdened with the care and maintenance of Mr. Hare's five children and he has four more by the said widow. He applies for 500 acres on Lieut. Hare's account, five hundred acres for his children, with 100 acres for Mrs. Hare, now his wife, and 100 acres for each of his children by her, making in all 1,500 acres. He sets forth that he was told by the Deputy Surveyor-General he might pitch on that quantity at Carillon; he went there accordingly, saw the tract he liked, and found a Canadian living thereon, but the Canadian's pretensions he purchased for eight dollars, took possession and placed a man there to hold that tract for him. That Mr. McNiff, a Deputy Surveyor, had informed him afterwards that Lots No. 7, 8, 9 and 10 of the tract he had pitched on had been laid out for and were claimed by the officers of the late 84th Regt.

Mr. Collins, the Deputy Surveyor-General (a member of the Committee), informed the Committee that he gave no directions to Mr. Impey to take possession of any particular spot of land but to take a view of the country on the Grande River, which he, Mr. Collins supposed, would probably be ordered to be laid out early in the summer, 1788; and he added that he did not doubt but that Lord Dorchester would let him have the lands there which Lieut. Hare might have been entitled to had he lived, as also lands for his wife (the Widow Hare) and his children by her.

The Committee under the circumstances related to them consider that as the lands in question have been set off for the reduced officers and privates of the late 84th Regiment by Your Excellency's order, Mr. Impey will be disappointed, but if Your Lordship pleases to allow him lands as prayed for the quantity Your Excellency shall please to allot him may be laid off on the south side of the river.

Rev'd John Bethune: The Reverend John Bethune, who served as Chaplain to the 84th, solicits his proportion of lands, twelve acres in front, to run five concessions in depth in the Indian tract lying between Charlottenburg and Cornwall, understanding that that tract is to be purchased for the use of the loyalists and disbanded troops. He represents that he cannot with any advantage take land with the officers of the 84th at Carillon, being so far distant from his congregation.

The Committee conceive that Mr. Bethune has made this application on a supposition that the Indian tract he alludes to will be purchased by government and that he may make a plea of priority of application if ever these lands shall be purchased and granted to loyalists and others.

Lieut.-Col. Harris: Lieut.-Col. Harris, as late Major of the 84th Regiment, prays for his 5,000 acres adjoining the nine miles already surveyed for such officers of the 84th as have petitioned for the same.

The Committee are of opinion that the nine miles already laid off for that reduced corps may contain a sufficient number of acres to furnish the quantity

allowed by His Majesty for the officers and privates, if regard is had to the rule laid down for settling the loyalists touching the proportion that the fronts ought to bear to the depth of the lots.

Frederick Rastoul, Louis March à terre, Francois Jaquette and J. B. Feré: The joint petition of Frederick Rastoul, a mason; Louis Marchatere, a shingler; Francois Jaquette, a potter, and J. B. Feré, a millwright and joiner, pray for lands for themselves and families at Toronto near Monsieur De Rocheblave's tract, and representing that they are capable of work and faithful subjects who wish to settle at Toronto. If Your Lordship has not set apart those lands for loyalists from the States, the Committee do not perceive any objection to the prayer of those people.

Joseph Anderson: Joseph Anderson, loyalist, prays for lands in the District of Mecklenburg. The Deputy Surveyor-General laid out 200 acres for him in that district but if it is Your Lordship's pleasure to favour him with a further grant, he may have lands in one of the townships lately laid out between the upper and lower townships.

Rev'd Mr. Stuart: Rev'd Mr. Stuart, praying for 200 acres of land as his proportion between the western boundary of Kingston and the eastern line of Ernest Town immediately adjoining No. 1 in the Second Concession of the township to be bounded by the west line of the said township, and extend north and south parallel to said No. 1 immediately without the boundary line of said township.

The Committee find that Mr. Collins' (the Deputy Surveyor-General's) petition for a tract of land on the bay of Tonegayon at Cataracoui was filed in the Land Office on the 15th of October, 1783, and they are informed that he has improved it by building a house thereon and other improvements and that it is the spot petitioned for by Mr. Stuart.

James Hughes: James Hughes (Town Major of Montreal) petitions for 4,000 acres of land on the Grande River between Mr. Lotbiniere's seigneurie of Vaudreuil and Mons'r De Longueuil's seigneurie; but this tract has been laid out for the American loyalists by Your Excellency's orders.

George Smyth: George Smyth, Naval and Preventive Officer at St. John's, petitions for lands. This petitioner with associates made application some time since for lands near Lake Memphramagog, which application has been reported on in this Committee's third report to Your Excellency and as no order has yet been had thereon the Committee cannot with propriety make any remark on this petition excepting that an application was made by Terence Smyth, the petitioner's son (who is mentioned in this application), for lands at Carillon. That application was examined by this Committee on the 20th of June last, but it has not been reported on because he claims a subaltern's quota without informing the Committee of the quality in which he served his Majesty.

Capt. Harkimer: Capt. Harkimer appears for lands. He has had all the land he is entitled to as a captain, with the additional number of acres for his family and Your Excellency's bounty besides.

Abraham Wing, Jr.: Abraham Wing, Jun'r, prays for lands for himself, wife and six children, wishing to have his allotment in a tract of Indian land which he presumes Your Excellency will purchase for the Crown near Edwardsburg. The Committee humbly inform Your Lordship that the petitioner may have lands if Your Excellency pleases, in any of the townships laid out this summer.

Antoine Landriaux: Antoine Landriaux of Montreal states that his father served as a surgeon in the hospitals at Montreal gratis, and he prays that he, his son, may obtain 400 acres of land at Toronto near Mons'r De Rocheblave's tract, in reward of his father's services. The Committee can only remark on this petition that if Your Excellency chooses to favour Mr. Landriaux with a grant, there's waste land appertaining to the Crown near Mr. Rocheblave's tract at Toronto, where the petitioner wishes to settle.

Joseph Pagé: Joseph Pagé for four hundred acres there likewise. He does not state how many his family consists of, but if Your Lordship shall please to permit him to settle there the quantity of acres allotted him may be proportioned to the number of persons in his family.

Elizabeth Lord and her Brother: Elizabeth Lord and Joseph, her brother, were left a burthen on Mr. De Rocheblave. He has supported them from their infancy. They pray for lands at Toronto to make a settlement for themselves.

The Committee are inclined to recommend a grant of the prayer of this petition to ease Mons'r De Rocheblave of the burden that he has long borne and to enable the petitioners to acquire the means of supporting themselves.

Jacob Weimer: Jacob Weimer (a poor German) states that he disposed of his effects in his native country to procure a passage to America, that he might become a subject of His Britannic Majesty; he therefore prays for land at Toronto. The Committee do not apprehend that any inconvenience can attend the granting of the petitioner's prayer; if it is Your Lordship's will to allot him the usual allowance.

Richard Beasely and Peter Smyth: Richard Beasely and Peter Smyth, loyalists, pray for land at Toronto and at Pemitiscutiank, a place on the north side of Lake Ontario, having already built a house at each of those places, and they petition for as many acres round each as is the usual allowance made to loyalists.

As it is proposed by Your Lordship to lay a town out at Toronto, the Committee cannot recommend a grant of lands round the house which the petitioners have built there, lest that grant might interfere with the intended plan; but if it is Your Excellency's pleasure to settle the north side of Lake Ontario at present, the Committee perceive not any objection to the petitioners having land round the house they built at Pemiscutiank in such portion as Your Lordship may think fit to allow.

Richard Goring: Richard Goring sets forth in his petition that he served as an artificer part of the last war, and bore arms in Quebec during the blockade, 1775-6, and he prays for land for himself, his wife and child on the south side of Lake St. Francis (in Lower Canada). The lands there were intended by Your Excellency for Canadians, and as he has married a Canadian woman and declares

his intention to pass the remainder of his days with his wife's relations, the petitioner's prayer may be granted if Your Lordship thinks fit.

Abigail Campbell: Widow Abigail Campbell informs Your Lordship that she has eight children, that her late husband was a persecuted loyalist of New Fairfield in Connecticut, and that she left the States to have her children brought up subjects of the King. If it shall please Your Lordship to grant lands to the petitioning widow, she may have such portion as Your Excellency may please to order for her and her children, in any of the townships that have been laid out this year.

Widow Orillat: The Widow Orillat and her daughter pray for lands at Toronto near Mr. Rocheblave's tract in common with the loyalists. She sets forth that her late husband performed services for Government and that he met with losses and suffered hardships at the time the Americans invaded this Province, in consequence of his loyalty to the King. The Committee can perceive no objection against granting the prayer of the Widow Orillat, if it is Your Excellency's pleasure to favour her with a lot in any of the new townships lately laid off between the upper and lower settlements.

Michael Cook: Michael Cook, a loyalist, finding it impossible to live on lands near Shelburne in Nova Scotia, left that Province to become an inhabitant of Canada, and he prays for lands at Edwardsburg.

It is not known to the Committee whether the lands are bad round Shelburne; and perhaps the petitioner may have sold the lands he drew there and now applies the second time for the King's bounty, but if he can make it appear that he left Shelburne on account of the sterility of the soil there, if Your Lordship pleases he may have a lot of land in any of the new townships

Pierre Dodegan: Pierre Dodegan represents that his daughter fell heir to her uncle who left 12 acres of land in front by 40 acres in depth, in the seigneurie called la Petite Nation, above the Long Sault on the River St. Lawrence, holding of les Chanoines de la Cathedrale de Quebec, as appears by a concession from them as seigneurs dated in 1732.

The Deputy Surveyor-General informs the Committee that the lands in question are in the Township of Osnabruck and actually in the possession of loyalists. A notorial copy of the original deed of concession accompanied the petition and was read.

Major James Gray: The petition of Major James Gray for a thousand acres of the Indian lands which join the tract that he has already drawn was read. The petitioner states that the land he applies for is Indian property. The Committee cannot recommend a grant of lands which do not appertain to the Crown.

Abraham Pastorius: Abraham Pastorius, a reduced Lieutenant, prays for land adjoining the Priest's seigneurie at St. Sulpice near the Acadian Settlement. The Deputy Surveyor-General cannot inform the Committee at present until he examines his plans whether there is any waste land there belonging to the Crown, but if there is, the petitioner may have a grant there if Your Lordship pleases.

De Longueuil: L'Honourable Joseph De Longueuil prays for 1,000 acres to join his seigneurie on the Ottawa River in lieu of the same quantity allotted him

at the little Lake St. Francis. The Committee presuming the petitioner means the lands which lie at the depth or south end of his said seigneurie, they can see no objection against the prayer of his petition, if Your Lordship thinks fit to grant it.

Lieut.-Col. Campbell, Major Colin Campbell: Lieutenant-Col. John Campbell, for himself as Commandant of the Indians and Superintendent and Inspector of Indian Affairs, and in behalf of Major Colin Campbell, late Deputy Superintendent in said Department, prays that such quantity of lands, as Your Excellency may allow them in their said capacities, may be granted to them on the north side of the Ottawa River next to the lands surveyed for the 84th Regiment.

Should it be Your Lordship's pleasure to grant lands to the petitioners as officers in the Indian Department they may have the quantity Your Lordship chooses to grant them on the Ottawa River and next to the lands already laid off for the officers and privates of the late 84th. If it is not Your Lordship's intention to grant the prayer of Colonel Caldwell in favour of the officers and privates of the British Militia for lands to join the 84th tract, which prayer is recommended by this Committee in their report to Your Excellency on the 10th of last May, but if it is Your Lordship's will to grant the prayer of Colonel Caldwell's petition (signed likewise by seven captains), Colonel Campbell and his brother may have lands to join the tract allotted to the British Militia, if so it may please Your Excellency.

Lieut. Angus McDonnell: Lieutenant Angus McDonnell, late of the 71st Reg't, prays for lands between Charlottenburg and Cornwall, reserved for the Indians. The Committee cannot recommend this prayer as the petition states that the land he prays for is Indian property.

F. Verneuil De Lorimier and G. De Lorimier: Francois Verneuil De Lorimier and Guillaume De Lorimier, as Lieutenants in the Indian Department, pray for lands for themselves and families at la Vielle Galette du Coté d'en haut. This description leads the Committee to believe that the place prayed for is not within the Province, but if they mean the north side of the River St. Lawrence, the lands there have been granted to loyalists.

Sir John Johnson for the Heirs of Col. Guy Johnson: Sir John Johnson, in behalf of the heirs of Colonel Guy Johnson, in his petition, states that the deceased had not at the time of his demise received any part of His Majesty's bounty in lands granted to his discharged troops and other loyalists, and that he has left three children; he therefore prays that the children may obtain such quantity of land as may seem meet to Your Excellency on the south side of the Ottawa River next to the lands last granted on that shore. The Committee see no reason why the prayer of the petition may not be granted if it is Your Excellency's will to grant it.

Sir John Johnson: The petition of Sir John Johnson sets forth that he lost large tracts of land in the late Province of New York that were purchased from the Indians, but not patented, tho' the deeds for the same were recorded in the proper office; and as these lands were not included in the estimate of Sir John's losses laid before the Commissioners for enquiring into the losses of American loyalists, &c., he prays in compensation that the Island of Tonté,

opposite to the entrance into the Bay of Quinty, and the island called Grande Isle or Long Island, extending from near the former down to and between Carleton Island and Cataracoui, may be granted to him. The Committee, from the information of the Deputy Surveyor-General, have already reported on an application for an island called Grenadier Island, that Your Lordship did not intend at present to grant any of the islands. Yet if Your Lordship should choose to grant the Island of Tonté to the petitioner, the Committee do not perceive any inconvenience that may flow to the public from his holding it; but as for Grande Isle it is claimed by Messrs. Curots of Montreal as their property, under deeds granted before the conquest of this country, and their pretensions are by Your Lordship's reference now before the Committee for Lands, who have not yet been able to make any report thereon.

Sir John Johnson for the Heirs of Major Leake: Sir John Johnson, in the behalf of Major Robert Leake's heirs, in his petition sets forth that the Major left a wife and a child, and that at his demise he had not received any part of His Majesty's bounty of lands; and he prays that the proportion due to a Major may be laid off on the south side of Ottawa or Grande River, near the lands already laid off at that place.

The Committee see no objection why the prayer of Sir John Johnson in behalf of the widow of Major Leake and his child may not be granted, if so it shall please Your Lordship.

Lieut. Wm. Claus: The memorial of Lieut. William Claus, in behalf of himself and his mother, Ann Claus, widow of the late Daniel Claus, Esqr., and joint heir to his estate, sets forth that his deceased father as Deputy Agent for Indian Affairs never received any part of His Majesty's bounty for disbanded Provincial troops and other loyalists, and prays for such proportion of land for the heirs of the said Daniel Claus, Esqr., as may seem meet to Your Excellency, to be laid off at Carillon on the south side of the river. The Committee think that if it is Your Lordship's pleasure to grant the petitioner's request, lands may be laid off for Daniel Claus' heirs where prayed for.

Widow Murray: The Widow Murray, relict of the late Lieut. Duncan Murray of the 84th Regiment, sets forth that she was left without the means of supporting herself and children, and prays that if Your Lordship, regarding her husband's services as in any degree meritorious, should see her forlorn condition with Your Excellency's wonted benevolence, she would most humbly solicit a grant of 400 acres of land she has taken up near the banks of the Twelve Mile Creek in Township No. 2 of the northern District of Niagara, for herself and two children.

The Committee have understood that the petitioner's husband, Lieut. Murray, was an active magistrate and a useful member of society and this his widow was left in distressed circumstances with three children. If it is Your Lordship's pleasure to favour the Widow Murray with a grant of lands for herself and children they see no objection to her holding the tract she prays for.

Jas. Farquharson: James Farquharson, late Assistant Commissary-General states in his petition that he served ten years in that department and he prays for such proportion of the waste lands of the Crown as he may by the King's bounty be entitled to, and begs his quota may be laid off for him where the 84th are to have their lands.

The Committee have already observed in this report that the British Militia have prayed for lands adjoining the tract allotted for the 84th and so has Col. Campbell for himself and brother, as officers in the Indian Department, and if it is Your Excellency's will to grant their prayer, Mr. Farquharson, if so Your Lordship pleases, may join them.

Capt. Lewis Genevay: Capt. Lewis Genevay, late of Lieut.-Col. Butler's Rangers, prays for his allowance of 700 acres of land at Le Grand Calumet on the south side of the Ottawa River. The Deputy Surveyor-General informs the Committee that he thinks the place mentioned is higher up than any lands yet laid out, and they know of nothing to prevent the petitioner from holding lands there if Your Lordship pleases to grant them.

Lieut. Donald McKinnon: Lieut. Donald McKinnon, of the First Battalion of the late Royal Highland Emigrants, and Seigneur of Mattanne, prays for his proportion of lands as a reduced officer to join his said seigneurie at the lower extremity. The Committee are of opinion that his request may be granted if Your Lordship pleases, provided the tract he applies for is not private property under French grants.

Hazzleton Spencer: Hazzleton Spencer's petition notes that his father, Benjamin, joined the British Army under General Burgoyne in 1777 and was then appointed a commissioner for examining persons returning to their loyalty. He died on his way from Ticonderoga to Montreal and left a family of six children; and he prays that the quantity of lands which their father would have been entitled to had he lived may be set off for his children. The Committee see no reason why the prayer of this petition may not be granted, if it shall so please Your Lordship, and such quantity of land as Your Excellency may order to be laid off for that family may be allotted to them in any of the townships lately surveyed between the upper and lower settlements.

Alexander Chisholm: Alexander Chisholm of the Bay of Quinté represents that he applied in 1785 to Lieutenant Governor-Hamilton for some of the waste lands of the Crown to which he was entitled in consequence of services to His Majesty in different capacities; that Mr. Hamilton permitted him to look out for a scite to his liking; that he took possession of 400 acres of the waste land of the Crown in the Ninth Township near the head of the Bay of Quinté, but as those lands could not be laid out when he seated himself there, the memorialist obtained the Deputy Surveyor-General's promise that he should have the quiet possession of the same—a like promise was all the security that every other person had who sat down on unsurveyed lands, all of whom except the memorialist now hold and possess the several quotas they had chosen. And he sets forth that after he had been at great expense in making a settlement on the tract he had taken up Mr. Collins granted the best half of it to a Mr. Vanderheyden. The petitioner concludes by praying that he may have his land back again, or in lieu of it No. 37 in Sydney on the east side of Lot No. 11 in the 9th Township.

The Deputy Surveyor-General, Mr. Collins, informs the Committee that the petitioner has drawn 250 acres at a place called the Little Lake, and 100 acres in Thurlow which is more than he is entitled to as a reduced Sergeant which Mr. Collins understood him to be.

George Campbell: George Campbell, late a Sergeant in Col. Butler's Corps of Rangers, prays for his quota of land on the Indian tract at Edwardsborough. As the lands prayed for are not vested in the Crown, the memorialist may have his proportion in any of the new townships lately surveyed between the upper and lower settlements.

James Molloy: James Molloy sets forth that he married the widow of Mr. John Amory, late of the Province of New York, who lost a handsome estate in consequence of his loyalty in the late American contest. Mr. Amory raised a number of men and joined General Burgoyne; he was allowed half-pay after the Saratoga Convention, and was afterwards employed at New York as Comptroller in the Quarter-Master General's Department. The memorialist understanding that the orphans of the deceased have a right to as much land as their father's rank would have entitled him to, he prays that such proportion may be allotted them on the Grand River. They are five in number; and for himself he prays (as having been employed during the war as Overseer Assistant Storekeeper) for lands there likewise, his family consisting of his wife and two children. He was first employed by Sir William Howe at New York, and now serves in the Indian Department; he hopes Your Excellency will grant him 500 acres for his own quota, together with the usual allowance for his wife and two children.

As the memorialist does not point out any place of location, the Deputy-Surveyor-General informs the Committee that such portions of land as Your Excellency may please to order for Mr. Molloy on his claims, may be laid off in the First or in the Second Township on the south side of the Ottawa River.

Oliver Church: Read next the memorial of Oliver Church, the son of Malachy, a zealous loyalist as stated in the memorial, who joined Governor Tryon in 1775 and was employed by him to procure intelligence which service he performed to the Governor's satisfaction and who was appointed by General Howe to be a Captain in the Corps then raised by Colonel Robert Rogers. He joined the army on the expedition on Lake Champlain and shortly afterwards he died at Montreal.

The memorialist prays for the proportion of land to which his father would have been entitled had he lived. The services of Malachy Church, the father, are certified on the back of the memorial by Major James Rogers of the Rangers.

The Committee perceive no reason why the memorialist may not receive an order for locating such proportion of land as it may please Your Excellency to grant to him and the other children of Malachy if any there be.

All which is most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 13th October, 1788.

Monday, 29th December, 1788.

Present: His Excellency The Right Hon'ble Guy, Lord Dorchester, The Hon'ble William Smith, Esquire, Chief Justice; Hugh Finlay, William Grant, Edward Harrison, Francis Baby, John Collins, George Davison, J. G. C. Delery, Chas. De Lanaudiere, Henry Caldwell, Le C'te Dupré. His Lordship informed the Council that representations having been made to him on his late visit to the western districts of delay and expense being occasioned to many loyalists desirous of forming settlements in the upper country, from the want of authority on the spot for allotting lands for them, He had therefore to remedy that incon-

venience; appointed the following boards in the Districts of Mecklenburg, Luneburg, Montreal and Nassau, viz.:

Mecklenburg: The Rev'd Mr. John Stuart, Neil McLean, James Clerk, Richard Cartwright, Jun., Esquires, and the officer commanding for the time being or any three of them;

Lunenbourg: Richard Duncan, John McDonell, Jeremiah French, Justus Sherwood, James Gray, John Munro, Esquires, or any three of them;

Montreal: Sir John Johnson, Baronet; Lieut.-Col. Harris, 60th Regt., or Officer Commanding at Montreal; William Dummer Powell, Mr. Rankin, Mr. Abraham Pastorius, Esquires, or any three of them;

Nassau: Lieut.-Colonel Hunter, or Officer Commanding; Lieut.-Col. Butler, Peter Tenbrook, Robert Hamilton, Benjamin Pawling, Nathaniel Petit, Esquires, or any three of them:

To examine into the loyalty and character of all persons desirous to form immediate settlements in the said districts; and on being satisfied thereon, and the Oath of Allegiance being first administered to them, to furnish every such person with an order upon the Deputy Surveyor of the district for a lot, giving them to understand that such further quantities would afterwards be added, as their merits might be found to entitle them to. And that the different Deputy Surveyors had, at the same time, been required to give every such person a Certificate of Location for a single lot, not to be considered valid however in case of the holder being found to have received lands elsewhere; and in order to prevent impositions in this respect the several boards had been directed to communicate to each other the names of all persons so examined and recommended by them respectively.

His Lordship suggested, at the same time, the expediency of a general revision of the orders and regulations given and now in force for the conduct of the Land Office. Upon which it was ordered that Messrs. Smith, Finlay, Pownall, Caldwell and Grant be a committee for that purpose, and that they report to His Lordship such a digest of regulations for carrying on the services of that department as they shall think advisable.

On reading several of the preceding reports of the Land Committee, the following orders were made by His Lordship, with the advice of the Board, viz.:

Capt. George Lawe, late of the 84th Reg't, for his lands on the portage of Lake Timiscouata: Ordered that the Surveyor-General report a survey of one thousand acres at the place asked for, if lands there are in the gift of the Crown.

William Dummer Powell, for lands on the south side of the Ottawa River, between the upper boundary of Mr. Lotbiniere's seigneurie and the lower boundary of that of Mons'r De Longueuil: Ordered that the Surveyor-General report a survey of three thousand acres, corresponding as nearly as may be with the location described by the petitioner.

Captain William La Motte, stiling himself a captain in one of the late Canadian Corps, and praying lands as such: Ordered that the Surveyor-General report a survey of seven hundred acres in the tract allotted to the Canadian Companies on the Lake St. Francis and River Chateauguay.

Captain Caldwell, late of Butler's Rangers, praying for a grant to his sons, William and James, of a certain marsh at Detroit: Ordered that the Surveyor-General report a survey of the marsh prayed for accordingly.

Lieut.-Col. Harris, praying for his proportion of five thousand acres, as major of the late 84th Regiment, adjoining to the nine miles already surveyed for the officers of that reg't on the north of the Ottawa River: Ordered that the Surveyor-General return a survey of five thousand acres accordingly within the tract assigned for the 84th Regiment or adjoining thereto if that is already disposed of.

Mad'me Saint Luc la Corne, for land on Chateauguay River in consideration of the services of her deceased husband. Ordered that the Surveyor-General report a survey accordingly of one thousand acres to be granted to the heirs of Mr. De St. Luc la Corne.

Mons'r De Longueuil, for one thousand acres adjoining his seigniority of New Longueuil, in lieu of his proportion as a reduced field officer, in the Canadian settlement on Lake St. Francis: Ordered that the Surveyor-General report a survey of one thousand acres to be granted to the petitioner accordingly.

Francois Verneuil De Lorimier and G. Delorimier, for lands at Vieille Galette: Ordered that the Surveyor-General report a survey of five hundred acres for each, if in the gift of the Crown.

Sir John Johnson, Baronet, for the heirs of Guy Johnson, on the south side of the Ottawa River: Ordered that the Surveyor-General return a survey of one thousand acres on the south shore of the Ottawa River, to be granted to the heirs of Guy Johnson, deceased.

Sir John Johnson for himself: Ordered that the Surveyor-General report a survey of the Island of Tonté, to be granted to the petitioner.

Sir John Johnson for the heirs of Major Leake: Ordered that the Surveyor-General report a survey of one thousand acres to be granted to the heirs of Major Leake, deceased, on the south side of the Ottawa River.

Lieut. Will'm Claus and his mother: Ordered that the Surveyor-General report a survey of one thousand acres to be granted to the heirs of Daniel Claus. (See page 41 for the petition of Lieut. Wm. Claus in behalf of himself and his mother.)

Widow Murray for lands at Niagara: Ordered that the Surveyor-General report a survey of four hundred acres as located by the petitioner, if in the gift of the Crown, and not part of lands reserved for public uses.

James Farquharson, Assistant Commissary, for lands adjoining the 84th Regiment: Ordered that the Surveyor-General report a survey of 500 acres to be granted to the petitioner, agreeable to his location.

Captain Lewis Genevay, late of Butler's Rangers, for seven hundred acres at Grand Calumet: Ordered that the Surveyor-General report a survey of seven hundred acres agreeable to the petitioner's location whenever the lands of the Crown at Grand Calumet shall be ordered to be surveyed.

Abraham Wing, for an allotment in a tract of Indian land, if purchased by the Crown near Edwardsburg: Ordered that the Surveyor-General report a location for him of four hundred and fifty acres.

Read the twenty-first report of the Committee:

To His Excellency The Right Honourable Lord Dorchester, etc.

The further report of the Committee of the Council to whom the petitions for lands are referred:

At a meeting on Friday, the 21st of Nov'r, 1788.

Present: Messrs. Finlay, Collins and Grant. A number of petitions were read from people who are pressing for grants of the waste lands of the Crown, considering themselves to be entitled to His Majesty's bounty. The Committee divided them into six classes.

1st, Loyalists who have suffered from their attachment to the King's Government. 2nd, Discharged soldiers. 3d, Artificers discharged from the King's works after the war. 4th, Sailors and others who served on the lakes, &c. 5th, Men who bore arms in the winter of the blockade. 6th, Petitioners who have no particular pretensions to the King's bounty, but who pray for Crown lands as faithful subjects wishing to make immediate settlement on the lots that may be granted them.

FIRST CLASS

Loyalists: Lieut. Jo. Saxton, R. Gar'n Batn; Jos. Pashley; Henry Juncken prays for 500 acres; Jas. Green and family ask for 600 acres; Arch. Campbell; Jas. Willsie, Jessup's Rangers; John Rees, 200; William Nugent; Jo. Ferguson, a wife and five children; James Miller; Nathaniel Kitfield; Christean Miller; J. Emerson, 2,000; Thos. Day, lost 600 acres at Crown Point, he asks for his family, 1,300; Alexander Iver and family, 400; Elias Day, wife and 5 children, 400; Hector Morrison and family, 200; Itharmar Day, wife and 9 children, 600; Donald Campbell, 100; T. Day, Jun., wife and 4 children, 350; Edw'd Williams and 2 children, 250; Jose Day, wife and child, 200; John Grant, wife and 7 children, 500; Jesse Armstrong, volunteer with Gen. Burgoyne, has a wife and 7 sons.

SECOND CLASS

Discharged Soldiers: Allan McRae from the 44th; Peter Thompson, L'd Frederick Campbell; Michael Liens, 44th; T. Cunningham, Sen'r.; Donald McKay, 44th; Th. Cunningham; John Richardson, 34th; John Cunningham; David Wright, 34th; Edw'd Smyth; Hugh Fraser, 60th; Jos. Stilhem; Francis Coulson, 8th; Wm. John Williams; John Pearson, 31st; John Ross, 78th, wife and 7 children; Francis Finney, 15th; P. Wharton Gregory, Conductor of Stores; P. McVey, Sergeant, 10th.

THIRD CLASS

Artificers: Alexander Galway; Peter Thompson's widow for herself and son, the father was drowned in the service; John Gordon; John McIntosh; Alex'r McDonald and family; Wm. Fraser; Jos. Garfield; John Telfair; John Stanley; John Bowman; Henry Sweetland; George Parr; Jas. Duncanson, wife and 4 children; Wm. Anderson and family.

FOURTH CLASS

Men who served on the lakes: Joseph Merret served from 1777 to 1784, commanded several vessels, he has Capt. Schank's certificate, he asks 500 acres. Wm. Clarke commanded a vessel. James Greig served as Midshipman on board the *Fell*. James McCutcheon; Fred Mitchel, wife and 2 children; Jos. May.

FIFTH CLASS

British Militia who bore Arms during the Blockade: John McDonald, John Smith; . . . Webb; William Fraser; . . . Robinson; John Ayton; Godfrey

King; George Harrow; Fred Petry; Hugh Ritchie; John Robb; Robert Phillips; Henry Crebassa; John McPherson, Sergt., wife and 6 children; Don McDonald, Sergt., wife and 6 children; Robert Hadden and family.

SIXTH CLASS

Petitioners intending to make immediate improvement: Rev. W. Montmoulin prays for 500 acres; Robert Anderson; Jos. Fred Montmoulin, 200; Alexander Ferguson; Samuel Montmoulin, 200; Isabella Strachan; Fred. Gaudot Montmoulin, 200; James Gibbons, wife and 2 children; Richard Dillon, 1,000; John Davison, wife and 3 children; George Linton, 1,000; John Young, wife and 2 children; T. Thompson, 300; Alex'r Cook, wife and one child; T. Graham, a farm; Thos. Cary himself and 8 persons; William Ripp, a Lot; James Nelson, 300 acres.

Loyalists and Discharged Soldiers: The Committee humbly report to Your Lordship that no reason appears to them why the petitioning loyalists and discharged soldiers may not be put in immediate possession of lots in the townships laid out last summer. Orders may be given to the Surveyor-General of lands for that purpose if Your Excellency thinks proper.

Artificers, Men discharged from the Lake Service, and Petitioning Individuals of the British Militia: The artificers and likewise the men discharged from the lake service may be settled in the new townships as also the petitioning individuals of the British Militia who bore arms in Quebec in 1775 that intend to make immediate settlement on such lands as may be allotted them if it shall not be Your Lordship's pleasure to order one continued tract to be laid off for that body in compliance with the humble request of Colonel Caldwell and the Captains.

Petitioners of the Sixth Class: And all those of the Sixth Class mentioned in this Report who intend to improve the lots they may draw may have also lands in the townships lately surveyed, or that may be surveyed next Spring, if Your Lordship sees it fit.

James Walker, Surgeon's Mate: James Walker claims two thousand acres as Surgeon's Mate of the late 84th Regiment; he has already drawn 660 acres and prays that the remaining 1,340 may be granted to him in any part adjoining Elizabeth Town. The Committee do not know the quantity of acres allowed by His Majesty to a Surgeon's Mate, but if Mr. Walker is entitled to the number of acres he claims or if it shall be Your Lordship's will to allow him the 1,340 acres prayed for, they may be given to him in the tract set apart for the 84th Regiment.

Lieut. Lewis Foy: Lieut. Lewis Foy on the half-pay of the 44th prays for 500 acres of land on the south side of the Grande River, no particular spot being mentioned in the petition, the quantity prayed for may be laid off in one of the new townships if Your Lordship pleases.

Lieut. John Stagman: The petition of Lieut. John Stagman, late of the Hessian Regiment of Lossberg, sets forth that he served His Majesty in America from 1776 to 1783; that from attachment to the British Government he resigned

his Commission to become a subject of the King; that he has Honourable Certificate of his services from the officer who commanded the regiment. The petition further shews that he obtained Lot No. 19 containing 200 acres in the third Concession of the Township of Oznabruck; that by consent of Mr. Mann he improved a lot of 400 which he drew, No. 14, not far from No. 19, and he prays that No. 14 may be made his, seeing that Mr. Mann is provided for by a grant of land which he obtained in Chaleur Bay; and this he prays in consideration of his faithful services and likewise that he may be admitted to share lands as a reduced officer of the army, and that the remainder of the quantity to which he would in that case be entitled may be granted to him in any other part of the township. He has a wife and two children.

The Committee having been well informed that Lieut. Stagman is a most industrious settler, would have been very ready to recommend the prayer of his petition relative to No. 14, but they find that it has been granted to Mr. Mann and is transferable by him alone. If it shall be Your Lordship's pleasure to extend His Majesty's bounty to the petitioner, they conceive that it may be an additional spur to his activity.

Charles Thomas: The petition of Charles Thomas, late Judge Advocate of the Brunswick troops in His Majesty's Service, prays for 500 acres of land on the Ottawa River, opposite to the lands laid off for the 84th Reg't., imagining that he had the rank of a Lieutenant; and he humbly hopes his prayer may be granted in compensation of hardships sustained in the Service. and repeated losses of his private property. The Committee pretend not to decide on Mr. Thomas's rank, but they conceive he may be indulged with a grant of such quantity of lands as it may please Your Lordship in your goodness to be set off for him in any of the new townships.

Charles Reaume: Charles Reaume of Montreal petitions for 700 acres of land at Toronto, near Mr. Rocheblave's tract. The Committee see no objection to his obtaining the common allowance of 100 acres as master of a family with 50 for every person of which his family consists.

John De Courcy Gill: John De Courcy Gill, late of His Majesty's late General Hospital, prays for 500 acres of land for himself and 200 acres for his wife, on the south side of the Ottawa River. The petitioner having long served, if it is Your Lordship's pleasure to indulge him with 700 acres, may have that quantity in any of the new townships.

Jacob Robb: Jacob Robb, a loyalist from Philadelphia, brickmaker, prays for a small lot of ground at the Wind-Mill-Point in William Henry where he intends to carry on his trade, &c.

Capt. J. Walker Myers: Captain J. Walker Myers petitions for 15 acres on the stream called Sogudywitohevon for the purpose of erecting grist and saw-mills for the use of the settlement in the Bay of Quinté. The D. Surveyor-General informs this Committee that the petitioner has received his proportion of lands as a Captain of the late Loyal Rangers, and that the 15 acres prayed for are on the King's domaine, and may fall to the lot of some loyalist yet unprovided with land, if His Majesty does not choose to hold the banalité in the new settlement, yet it lies with Your Excellency to extend your favour to Captain Myers, if so it shall please Your Lordship.

John Emerson: John Emerson's petition sets forth that by the decided part he took at the beginning of the troubles in 1775 he was obliged to leave his property, business and connections in Worcester in Massachusetts, and take refuge in Boston, where he bore arms; he followed the British army to Halifax and from thence to New York, Jerseys, and Pennsylvania, rendering all the service in his power. He afterwards was employed as storekeeper in St. Lucia. He prays for a grant of 2,000 acres of land on the south side of the Grand River, such quantity of land as Your Lordship may think fit to allow to the petitioner may be set off for him in any of the new townships above Carillon.

Lieut. Maxwell, Hippolite La Force, F. De La Fontaine: Read next the petitions of Lt. Maxwell and Hippolite La Force, and of F. De La Fontaine in favour of divers inhabitants at the Grand River, all of Chaleurs-Bay. Lieutenant Maxwell and Mr. La Force have had all the lands they are entitled to.

The Committee cannot inform Your Lordship whether Mr. La Fontaine and the inhabitants in whose behalf he petitions, viz., Madame Beaudin, who has 3 acres; Aubin Desgouffre, 4 acres; Athenass Boudross, 3 acres; La Plante, 3 acres; Pat Orlay and Fortin, each 1 acre, each by 40 deep, are settled on private property or on the waste lands of the Crown on the Grand River, but if the lands they actually possess there are in the gift of the Crown, they humbly recommend that grants may be made to them.

Mr. La Fontaine holds three acres in front by 40 in depth. All which is humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 26th Nov'r, 1788.

The said Report being read, His Lordship, with the advice of the Board, made the following Orders, viz:

Lieutenant Lewis Foy: That the Surveyor-General report a survey accordingly.

Lieut. John Stagman: That the Surveyor-General report a survey of three hundred acres more, in addition to the two hundred acres, Lot No. 19, he has obtained in the Third Concession of the Township of Osnabruck; which will make in the whole five hundred acres to be granted to the petitioner.

Charles Reaume: That the Surveyor-General report a survey of two hundred acres to be granted to him.

Mr. Charles Thomas: That the Surveyor-General report a survey of five hundred acres to be granted to him.

John De Courcy Gill: That the Surveyor-General report a survey of five hundred acres to be granted to him as located.

John Emerson: That the Surveyor-General report a survey of five hundred acres to be granted to him as located.

Mr. De La Fontaine: That the Surveyor-General report a survey of the lands prayed for, and which they actually possess, if the same be in the gift of the Crown.

His Lordship informed the Council that applications had been made to him on various grounds for further grants of lands by Messrs. Neil McLean, of Kingston in the District of Mecklenburgh; Robert Hamilton, Nathaniel Petit, John Burch, John Warren and Philip Stedman of Niagara in the District of Nassau. His Lordship therefore proposed to the Council that such quantities be allotted to them in addition to their present occupations, as to put them upon the whole in possession of seven hundred acres each: Upon which it was ordered that the Surveyor-General report surveys accordingly of their several locations.

Tuesday, 27th January, 1789.

Present: His Excellency The Right Hon'ble Guy, Lord Dorchester; The Honorable William Smith, Esquire, Chief Justice; Hugh Finlay, George Pownall, Thomas Dunn, William Grant, Edward Harrison, Francis Baby, John Collins, George Davison, Adam Mabane, Chas. De Lanaudiere, J. G. C. Delery, Le C'te Dupré, Esquires.

The Report of the Committee for a Digest of Regulations in the Land Office was read and referred to a Committee of the whole Council.

Tuesday, 17th February, 1789

Present: His Excellency The Right Hon'ble Guy, Lord Dorchester; The Hon'ble William Smith, Chief Justice; Hugh Finlay, George Pownall, Thomas Dunn, William Grant, Edward Harrison, Francis Baby, John Collins, Chas. De Lanaudiere and Adam Mabane, J. G. C. Delery and Le Comte Dupré, Esquires.

His Lordship laid before the Council the report of Committee of the whole Council on the Digest of the Regulations for the granting of the waste land of the Crown, reported by the Private Committee who had been charged therewith both which reports were read, and ordered to be entered in the Minutes, viz.:

The Report of the Private Committee consisting of the Chief Justice, Mr. Finlay, Mr. Secretary Pownall, Col. Caldwell and Mr. Grant, to whom it was referred to revise the Orders, respect'g the conduct of the Land Office, and to report a Digest of the Regulations adviseable for the services of that department:

The Committee in obedience to Your Lordship's Order of the 29th of December last, met and read the same on the 13th of January instant. The Committee cannot avoid expressing their gratitude to Your Lordship for the measures taken in your late visit to the western parts of the Province, to give facility to the new settlements so essential to its trade, strength and prosperity, as well as the general security of the Dominions of Great Britain on this continent.

Adopting similar views and persuaded that the population of the country is at the bottom of every advantage to be drawn from these important appendages of the Empire, the Committee humbly propose as the result of their present deliberations upon the subject of the reference:

I. That the erection of like Boards with those already formed and mentioned in the Order of the reference will be expedient in the southern and eastern as well as western parts of the Province.

II. That each board ought to consist of not less than three Members, and if composed of more, that three only be a quorum for the business intrusted to the whole Board.

III. That every Board be considered as empowered to receive applications for grants of parcels of the waste lands of the Crown within the District of their trust, until the first day of May in the year 1791; when their authority, unless continued by a new appointment, shall be determined; every of which applications to be by petition to the Governor-in-Council, stating the quantity and situation of the land prayed for, and the merits and pretensions of the petitioners; and that all His Majesty's natural born, good and faithful subjects, Canadians, and others fit to become subjects be considered as proper objects for his bounty and grace and within the sphere of this trust.

IV. That it be the duty of the Board to hold stated and periodical meetings made publickly known; to give free and easy access to petitioners; and to examine into their loyalty, character and pretensions; and upon these and all points requisite, to take sufficient and satisfactory proofs by affidavit, deposition or otherwise; and to avoid discontents that they take up the petitions and applications in the order of their being preferred, where there is no special cause for a different course of proceeding.

V. That where well satisfied of the safety and propriety of admitting the petitioner to become an inhabitant of this Province the Board administer to him the Oath of Fidelity and Allegiance; and then give him a certificate to the Surveyor-General, or any person authorized to act as an agent or Deputy Surveyor for the District within the trust of that Board, expressing the ground of the petitioner's application; who, within two days after the presentment of the certificate shall assign the petitioner a single lot of two hundred acres, describing the same with due certainty and accuracy, under his signature.

Settlement Within One Year: But the same nevertheless to have no effect, if the petitioner shall not enter upon the location and begin the improvement and cultivation thereof within one year from the date of such assignment; or if the petitioner shall have lands assigned to him before that time in any other part of the Province.

VI. That the Boards every three months transmit to the Office of the Governor's Secretary the petitions of that period, and a copy of the certificates given thereon; and when there is a request for a greater quantity that they report the ground of such claim and pretensions; the consideration whereof is reserved to the Governor and Council, the Board transmitting with the petitions of the interval, a list expressing the names of the petitioners and the dates of their certificates, and the quantum of the locations.

VII. That the Boards do from time to time forward like lists to each other every three months, or as soon after as opportunity offers.

VIII. That the respective Boards on petitions from loyalists already settled in the upper Districts, for further allotments under the Instructions to the Deputy Surveyor-General of the 2nd June, 1787, or under prior or other Orders for assigning portions to their families, examine into the ground of such requests and claims; and being well satisfied of the justice thereof, grant certificates for such further quantities of land, as the said Instructions and Orders may warrant, to the Acting Surveyors of their Districts respectively to be by them made effectual in the manner before mentioned; but to be void nevertheless, if prior to the passing the grant in form, it shall appear to the Government that such additional locations have been obtained by fraud; and that of these the Boards transmit to the Office of the Governor's Secretary, and to each other, like reports and lists as hereinbefore as to other locations directed.

IX. That the Boards and Deputy Surveyors be attentive to the general interest of the settlers by preventing individuals from monopolizing such spots

as contain mines, minerals, fossils and conveniences for mills, and other singular advantages of a common public nature; the grants whereof are reserved to the consideration of the Governor and Council, on due information to be communicated or acquired respecting the same. (See page 54.)

X. That the Surveyor-General's Office for the purpose of combining the strength of the settlers and rendering them mutually assistant to each other, lay out the tracts or townships to be granted as nearly contiguous to each other as the nature of the country will permit, exercising all due care to give them certainty in the descriptions of their boundaries and locations; observing, in each township to lay out town plots, glebes, and other spaces for public uses; and in each township of thirty thousand acres to leave five thousand acres in equal portions at the corners thereof, to remain to the Crown unlocated, by any certificate to be granted to individuals by the authority of either of the Boards above mentioned; and that the Surveyor-General's Office forthwith issue Instructions to its Deputies or Agents surveying in the Districts, for a due attention to this object; the grant of such portions of every township so to remain to the Crown, being reserved to the future consideration of the Governor-in-Council, or as His Majesty shall be pleased to direct and command respecting the same.

XI. That the Surveyor-General's Office prepare a plan of each District of the Province, exhibiting thereon every tract granted under certificate of location; and that there be added to it from time to time the tracts hereafter to be pledged or promised or granted; and as often as a petition shall have the consent of the Council for the patent therein prayed for, that the Surveyor-General without delay file in the Council Office his returns of survey, with such clear description of the tract as shall enable the Attorney-General to prepare the Draft of a Patent or grant intended to be engrossed for the Great Seal.

XII. That the Clerk of the Council put the same returns of survey into the hands of the Attorney-General, who shall return them with his Draft of the Patent into the Office of the Governor's Secretary to be there stayed or thence issued as the Governor may see cause to direct.

XIII. That the Surveyor-General's Office consult the best means, and give correspondent orders to its Deputies for preventing unnecessary expense in the surveys; the Crown's interest requiring that the patentee receive no more, nor any other tract, than it shall appear from the patent to be the intention of the Government to grant him, and the patentee having cause to be contented if the descriptive words in his grant shall enable him to locate and discover with due certainty what tract he is to take, and it being manifest that after such actual surveys as shall be requisite to ascertain any particular township or tract, the description of another contiguous thereto, or depending thereon, will not require any field work previous to the grant thereof, all subsequent grants in contiguity and succession properly described in the returns of survey, being connected with or dependent upon the accurate description and ascertainment of the first tract surveyed.

XIV. That the standing Committee of the Council for reporting upon petitions for lands, lay aside all such as contain no specific quantity, or location of lands desired; and once a month cause a notification of such imperfect petitions to be published in the *Quebec Gazette*.

XV. That it will greatly conduce to the cultivation and settlement of the Province that due diligence be exercised in the several Offices of the Land-granting Department and that it appears to the Committee that a new regulation of the fees for their respective services is necessary, so that on the one hand the settle-

ment of the Province may not be checked by unreasonable exactions, nor on the other the officer be discouraged for want of a just reward for his labour.

XVI. The faith of Government being considered as pledged to all such as have acquired Certificates of Occupation in due course, or shall in future acquire them under the present Boards, or such other Boards as Your Lordship may hereafter think proper to constitute, the Committee apprehend it to be expedient that the Surveyor-General's Office do form a schedule of all lots under such certificates in any part of the Province, specifying the petitioners' names, the quantum of the location, the place where, and the date; and that a copy thereof be lodged in the office of the Governor's Secretary, another in the office of the Clerk of the Council for the use of the Board, and a copy sent to each of the Boards above mentioned, and that this practice be continued as to all subsequent certificates, at the end of every three months.

And to the intent that there may be as little trouble, and as much expedition as possible, with a saving of all unnecessary expense, in obtaining Grants and Patents; and more especially to favour the loyalists and other settlers remote from the capital of the Province, the Committee perceive it of general utility that the Secretary's Office do every six weeks notify in *The Gazette* all such applications for lands (as upon the receipt thereof the drafts of patents from the Attorney-General's Office) are so far advanced as to be ready for the Great Seal.

And that it will also be expedient and useful that several printed copies of these regulations if approved, or any others which Your Lordship and the Board of Council may be pleased to adopt and ordain for the conduct of the Land Office Department, be transmitted by the Clerk of the Council to the several Boards formed and to be formed for the purposes aforementioned, to be by them made public in their several Districts. All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

WM. SMITH, Chairman.

Quebec, Friday, the 16th January, 1789.

Report of the Committee of the whole Council, the Members convened being the Chief Justice, Messrs. Harrison, Collins, Mabane, Delery, Secretary Pownall, Grant, Baby and Dupré, to whom was referred the Digest of Regulations for the disposition of the waste lands of the Crown. The question was put by the Chairman, upon each of the Regulations recommended above by the private Committee, and were all carried unanimously in the affirmative, without division, except as to the first and tenth proposed regulations.

On the question of concurrence respecting the first Regulation, Mr. Delery suggested and moved in the words following: "Sur ce que Mr. Mabane dit qu'il y a une lettre du Secrétaire d'Etat de Sa Majesté qui defend d'établir les Terres sur Frontieres de la Nouvelle Angleterre, je propose, que Son Excellence soit supplier, de vouloir bien communiquer cette Lettre au Comité Mr. Mabane adjoutant, que le Général Hope l'a déclaré plusieurs fois en Conseil."

Mr. Grant was alone in the negative against this motion. Having carried it, Mr. Delery then moved that Mr. Mabane, Mr. Baby and himself might forthwith wait upon Your Lordship with a copy of the above motion to know Your Lordship's pleasure thereon.

That motion being granted and order taken accordingly, the Committee continued assembled until Messrs. Delery Mabane, and Baby reported that they had waited upon Your Lordship, and that Your Lordship did "not think

it regular on the part of the Council to apply for communication of Ministerial Letters."

The Chairman then put the question again upon the first Regulation, and debates arising, and there being four voices for the Affirmative, to wit: Mr. Grant, Mr. Pownall, Mr. Collins and Mr. Harrison; and four voices for the Negative, to wit: Mr. Dupré, Mr. Baby, Mr. Delery and Mr. Mabane, the Chairman voted with the former; and thus the question of concurrence with the Private Committee was carried in the Affirmative.

On reading the tenth Regulation, Mr. Collins moved that each township, instead of thirty thousand acres, might consist of nine miles square, or fifty-one thousand eight hundred and forty acres.

But his being the only voice for the motion it was carried to concur with the Private Committee, and thus the Report of the Private Committee is concurred in by the Committee of the whole Board. All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

His Lordship then ordered a draft of Rules and Regulations for the Conduct of the Land Office Department formed upon the suggestions of the Committee, with such alterations and additions as appeared to His Lordship proper to be adopted, and to be published, as recommended in the Report.

The additions to be incorporated in the Rules and Regulations are as follows: (See pages 51, 52).

And the more effectually to prevent abuses, and to put individuals on their guard in this respect, any certificate of location, given contrary to the true intent and meaning of this Regulation, is hereby declared to be null and void, and a special order of the Governor and Council made necessary to pledge the faith of Government for the granting of any such spots as are above directed to be reserved.

The dimensions of every inland township shall be ten miles square, and such as are situated upon a navigable river or water shall have a front of nine miles and be twelve miles in depth, and shall be laid out and subdivided respectively in the following manner, viz.:

Inland Township: Reference to a plan of a town and township of ten miles square proposed for an inland situation.

The town is in the centre, one mile square, and the town lots each one acre. The small squares uncoloured in the center of the plan contain each four acres, and are to be divided into four town lots. The open area of half a mile round the town is to be reserved. The town parks join this reserve, all round, containing each twenty-five acres, one rood and thirty-seven perches. The township lots are the large outside lots containing each two hundred and eleven acres and twenty-eight perches.

A—Reserves for the Crown: B and C—Church, Parsonage and School House; D—Goal and Court House; E—Work House; F—Church Yards, Hospitals, &c.; G—Public Squares; H—Market Places; I—Town Park for a Schoolmaster; K—Town Park for a Minister.

Calculation for an inland town and township of ten miles square containing 64,000 acres; public squares, 5 equal plots, containing 20 acres; public buildings, 8 equal plots, containing 32 acres; market places, 4 equal plots, containing 16 acres.

For settlers to be subdivided into 4 lots each, 104, containing 416 acres.

Eight streets from the Center Square, 96 ft. wide each, the other streets are 60 ft. wide each, 156 acres; reserves round the town, 1,920 acres; town parks,

288, equal, 7,341; township lots, 252, equal, 53,217; township roads, equal, 881, 63,999 acres.

Reserves for the Crown and Public Uses: Public Squares, 20 acres; Public Buildings, 32 acres; Market Places, 16 acres; Streets, 156 acres; Reserves round the Town, 1,920 acres; Town Parks, 2 equal, 50 acres; Township Lots in the Corners, 32 equal, 6,757 acres; Roads in the Concessions of 66 feet wide, 881 acres; Glebe, 422 acres; Schoolmaster, 211 acres.

Township upon a Navigable River or Water: Reference to a Plan of a Town and Township of nine miles front by twelve miles in depth, proposed to be situated on a river or lake.

The Town is one mile square, the town lots each one acre.

The open Area of half a mile joining the Town Lots to be reserved.

The Town Parks join the Reserve all round containing each twenty-four acres, one rood and twelve perches.

The Township Lots are the large Outside Lots containing each two hundred and three acres, two roods and four perches.

A—Reserves for the Crown; B and C—Church, Parsonage and School House; D—Gaul and Court House; E—Work House; F—Church Yards, Hospitals, &c.; G—Public Squares; H—Market Places; I—Town Park for a Schoolmaster; K—Town Park for a Minister.

Calculation for a Town Lot and Township of nine miles in front by twelve miles in depth, proposed to be situated on a River or Lake containing 69,120 acres: Public Squares, 5 equal to 20 acres; Public Buildings, 8 equal to 32 acres; Market Places, 4 equal to 16 acres; for Settlers, one acre each, 416 acres; eight Streets from the Center Square, 96 ft. wide each, 156 acres; the other Streets are 60 ft. wide each; Reserves round the Town, 1,176 acres; Town Parks, 218 equal, 5,303 acres; Township Lots, 300 equal, 61,060 acres; Township Roads, equal, 939 acres.

Reserves for the Crown and Public Uses: Public Squares, 20 acres; Public Buildings, 32; Market Places, 16; Streets, 156; Reserves round the Town, 1,176; Town Parks, 2 equal, 48; Township Lots in the Corners, 40 equal, 8,131; Roads in the Concessions of 66 feet wide, 939; Glebe, 407; Schoolmaster, 203 acres.

And the Surveyor-General's Office shall prepare accurate plans according to the above particulars, which shall be filed in the Council Office to be followed as a general model, subject to such deviations respecting the site of the town and direction of the roads, as local circumstances may render more eligible for the general convenience of the settlers. But in every such case it shall be the duty of the Surveyor-General and his Agents or Deputy Surveyors to report the reasons for such deviation, to the Governor or Commander-in-Chief for the time being with all convenient speed.

Ordered that all the Boards and officers of the Land-granting Department govern themselves according to the foregoing Rules and Regulations, and that the Clerk of the Council cause the same to be printed, and transmit copies thereof to the different Boards to be made public in their respective Districts, and to all the officers concerned.

Saturday, the 11th of April, 1789.

Present: His Excellency The Right Honourable Lord Dorchester, The Honourable William Smith, Esquire, Chief Justice; Hugh Finlay, Henry Caldwell, Thomas Dunn, William Grant, Edward Harrison, P. R. De St. Ours, John Collins, Francis Baby, Adam Mabane, Jos De Longueuil, J. G. C. Delery, Sir John Johnson, Bart.; George Pownall, Chas. De Lanaudiere, Picotté De Belestre, Rene A. De Boucherville, John Fraser, Le C'te Dupré.

Land Board Appointed for Hesse: His Lordship communicated to the Board an appointment made by His Lordship of a Board for receiving applications for Grants of parcels of the waste lands of the Crown in the District of Hesse, as follows: Schedule of a Board, appointed by His Excellency the Governor, for receiving applications for Grants of Parcels of Waste Lands of the Crown in the District of Hesse.

Major Close or Officer commanding at Detroit; William Dummer Powell, Esq., Justice of the Court of Common Pleas; Duparon Baby, Alex'r McKee, Will'm Robertson, Alex'r Grant, St. Martin Adhemar, Esquires, Justices of the Peace, or any three of them.

Tuesday, 14th July, 1789.

Present: His Excellency The Right Hon'ble Lord Dorchester, The Hon'ble William Smith, Chief Justice; Hugh Finlay, Henry Caldwell, Thomas Dunn, William Grant, Edward Harrison, Francis Baby, John Collins, Adam Mabane, George Davison, J. G. C. Delery, Chas. De Lanaudiere, George Pownall, Le C'te Dupré, Esq's.

Sir John Johnson and Mr. Joel Stone: Read the Report of a Committee of the whole Council (consisting of the Chief Justice and Messrs. Finlay, Dunn, Harrison, Collins, Mabane, Delery, Pownall, De Belestre, Fraser, Caldwell, Grant, De St. Ours, Baby, De Longueuil, De Lanaudiere, Boucherville and Dupré) respecting lands on the River Thames or Gananoque, prayed for by Sir John Johnson, Mr. Joel Stone and Daniel Jones, as follows;—

My Lord: Having read the Report and Proceedings of the Land Committee, and considered what has been offered by the petitioners, the Committee are humbly of opinion: That no Patent can pass for mines, minerals and fossils or valuable earths until His Majesty's pleasure shall be further known. The Committee are informed that the lands prayed for comprehend water-falls convertible to works of general utility, with bodies or mines of iron ore, and conceive that if it shall please His Majesty to permit such grants to be made it will be expedient to insert in them such conditions as will compel the patentees to improve them to the common advantage.

That Sir John Johnson and the said Joel Stone as loyalists and proper objects of His Majesty's bounty may be gratified by a joint grant in several proportions, and that for that purpose it may be expedient to cause a survey of such tract or tracts comprehending the water-falls and ore as may be necessary for the works in contemplation; and that the patent (whenever such patent can pass agreeable to His Majesty's Instructions) be so framed as to interest them in such several shares as bear a proportion to the tracts they have severally prayed for.

And respecting the petition of Daniel Jones the Committee are of opinion that the petitioner ought to be considered only for such lands as are intended for that class of petitioners, whose main object is settlement for the common purpose of agriculture.

WM. SMITH, Chairman.

Bishop's Palace, 18 April, 1789.

Abraham Pastorius: The further Report of the Land Committee (Messrs. Finlay, Collins and Grant and De Lanaudiere):

May it please Your Lordship: On the application of Mr. Abraham Pastorius a reduced Lieutenant of a late corps of Guides and Pioneers commanded by Major Holland, the Committee took up his petition of the 6th of September last,

upon which report had already been made to your Lordship, that the Deputy Surveyor-General of lands could not at that time inform the Committee whether there was any waste land the property of the Crown adjoining the priest's seigneurie of St. Sulpice, the place the petitioner had prayed to have his lands. Mr. Collins now reports that he finds waste lands there in the gift of the Crown. In a postscript to Mr. Pastorius's petition, he prays to be put on a footing with the subalterns of the 84th and Sir John Johnson's Regiments.

The petitioner laid before the Committee very ample and very satisfactory certificates of essential services rendered by him to the British Army on excursions into Pennsylvania whilst they lay in Philadelphia, and of his sufferings and losses in consequence of his loyalty and steady attachment to the British Government. Signed by SIR WILLIAM HOWE, BRIGADIER-GENERAL ABERCROMBIE, COLONEL BALFOUR, LT.-COL. SIMCOE Commanding the Queen's Rangers, and LT. ROGERS of His Majesty's Ship *Liverpool*.

The petitioner states in a letter laid before this Committee that the services he performed, as set forth in the certificates, were prior to his holding a Lieutenant's Commission; that he had been on all the excursions from Philadelphia, and that he left that place with Sir Henry Clinton and was in the Battle of Monmouth.

In observance of the Rule laid down by His Majesty's Instructions relative to the quantum of lands to be granted to reduced officers of Provincial corps, the Committee cannot recommend Mr. Pastorius's prayer to be put on a footing with the subalterns of the 84th Reg't. As a reduced Lieutenant of Guides and Pioneers he is entitled by His Majesty's bounty to 500 acres of land, together with 250 acres for his wife and four children. The Committee having regard to Mr. Pastorius's services humbly recommend him to consideration for an additional grant of twelve hundred and fifty acres, to make up the quantity of two thousand acres that he has prayed for, which he will look upon as an honourable reward for his services, and a mark of Government's approbation of his conduct during the late troubles in the Colonies, now the United States. He has declared his intention to make immediate settlement on those lands. The Committee humbly conceive that but few applicants for His Majesty's bounty in lands will cite Mr. Pastorius's case as a precedent, for but few will be able to come forward furnished with such testimony to support their pretensions, yet if such should appear, the Committee are humbly of opinion that it is within the sphere of Your Lordship's reference to them to state the services of claimants, and recommend them to favourable consideration as to the quantity the Committee may deem reasonable. They beg leave further to add in favour of the petitioner, that he has the honour to be a member of the Board established by Your Excellency at Montreal for the settlement of the waste lands of the Crown, and the Committee have been informed that he has been active and useful at that board. All which is humbly submitted to Your Lordship's wisdom.

HUGH FINLAY, in the Chair.

Quebec, 18th June, 1789.

Report of the Land Committee dated 19th June, 1789.

Further progress of the Land Committee at several meetings consisting of Messieurs Finlay, Collins, Caldwell and Grant, who humbly report to Your

Lordship: That of the applications for parcels of the waste lands of the Crown referred to this Committee by Your Excellency, they have examined the following:

Capt. Dan'l Robertson: The petition of Capt. Daniel Robertson of the 84th Regiment, dated the 3d May, 1788, together with his letter of the 26th of February, 1789, praying for lands (at the back of the tract he has obtained as a reduced Captain) for his son John, and his daughters Margaret, Charlotte and Elizabeth, which he will endeavour to settle with all speed. The Committee are of opinion that his prayer cannot be granted as the 3,000 acres obtained by him as a reduced Captain includes all that he may claim for himself and family; yet if any of his children intend to settle on new lands, apart from their father's tract, application should be made by the person who intends to settle the same.

Nathaniel Lines: The petition of Nathaniel Lines, Interpreter of the Messessaga language, states that he has drawn 800 acres of barren land in Pittsburg, and that he wishes to exchange that lot for an equal quantity of acres in Isle Foret.

The Deputy Surveyor-General has informed the Committee that Isle Foret is claimed by the Messessaga Indians, so that the prayer of this petition cannot be granted. Mr. Aikin, a Deputy Surveyor, has been directed by the Deputy Surveyor-General to lay off 800 acres for the petitioner in any other unconceded part of the township.

Sir John Johnson: The petition of Sir John Johnson, Baronet, dated the 27th of April, sets forth that he is willing to accommodate Capt. Stone with a part of the lands and water-falls at Cananoqué. He will relinquish any pretensions he may have been considered to have had to the west side of the said river, and therefore prays that two small islands known by the names of Nut Island and Isle au Bled d'Inde, lying nearly opposite the mouth of the said river, may be granted to him to make up the quantity of land prayed for in his former petition.

The Committee beg leave to observe that the petition alluded to by Sir John, together with a report thereon made by this Committee, were referred by Your Lordship to a Committee of the whole Council, and on the 18th of April the Chief Justice as Chairman signed the Report and presented it to Your Lordship, to which this Committee humbly refers (see page 56).

Nut Island and L'Isle au Blé d'Inde, lying at the mouth of the River Cananoqué, as prayed for by the petitioner, may, in the opinion of this Committee, be granted to make part of 4,000 additional acres he is entitled to by the late Resolve of Your Excellency and the Council putting Sir John Johnson's Regiment on a footing with the 84th.

Thomas Handfield: The petition of Thomas Handfield, formerly an Ensign in the 47th, son of the late Colonel Handfield of the XL Regiment. The Committee having considered his situation, as stated in his petition, with the Certificate of Service, signed by the late Brigadier-General Hope, annexed thereto, humbly recommend him for a grant of a thousand acres for himself, wife and eight children, to be laid out in any of the new townships lately surveyed on the Ottawa or Grande River.

Thos. and Terence Smith: Thomas and Terence Smith pray for such quantity of land as Your Lordship would have allowed to their deceased father,

Doctor George Smith, in reward of secret services rendered to Government during the late troubles in the Colonies, now the States.

The Committee, tho' they have heard that Doctor Smith had been employed and had been useful, cannot state anything as to the nature or extent of the services performed by the father of the petitioners; but, from the circumstance of his having been employed at St. Johns by General Haldimand as Preventive Officer the Committee presume that that employment was given to him as a mark of approbation and in reward of past services. Thomas has received 500 acres as a reduced Lieutenant; Terence is entitled as a loyalist to 200 acres.

Rev. Mr. Stuart: Read the petition of the Reverend Mr. Stuart for 1,500 acres of land in addition to 500 which he has already obtained as Chaplain to the Second Battalion of Royal Yorkers, and 300 acres, over and above, for his wife and children. The Committee cannot recommend the prayer of this petition, as by the 41st Article of His Majesty's Instructions to Your Lordship*, they find that none but Field Officers, Captains, Subalterns, Non-commissioned Officers and Privates had the Royal promise for lands at the raising of that corps. The petitioner, as Chaplain to the Royal Regiment of New York, is not by Your Excellency's Resolve in Council (which puts Sir John Johnson's or Royal N. York Reg't on a footing with the 84th) entitled to more land than he has already received.

Robert Clarke: Robert Clarke, a millwright, prays for a grant of Lot No. 18, in the first concession of the Township of Ernest Town where he wishes to erect a grist-mill. The Committee are of opinion that under the eighth Regulation for the conduct of the Lands Department, the Surveyor for the Township of Ernest Town could not put the petitioner in possession of the lot prayed for without Your Lordship's special order for that purpose, but, if it shall please Your Excellency to favour the petitioner by granting his prayer, on condition that he shall construct a good grist-mill there immediately, they are of opinion that it would be of great benefit to the settlers around. The Committee understand that the petitioner is an industrious and a skilful mechanic; they are on that account inclined to recommend him, except Mr. Grant.

Rev. Mr. Doty: The Reverend Mr. Doty prays for 2,000 acres of land in the first township to be laid out on the Ottawa River, as Chaplain to the first Battalion of Royal New Yorkers. The Committee considering him in the situation of the Rev'd Mr. Stuart, can recommend him but for 500 acres together with 50 acres for every person of which his family consists.

Joseph Harkimir: Joseph Harkimir petitions for lands which he supposes his deceased son would have obtained had he lived, in consequence of his having served as a Lieutenant in Colonel Butler's Company of Rangers during the late war, and praying that a Lieutenant's quota may be laid off for him (as heir to his son) on the Isle Forêt. Without entering into the consideration of the merits of the petitioner's claim for lands which his son, a reduced Lieutenant of a Provincial corps was entitled to, they think it necessary (at present) only to observe that the petitioner cannot have lands on the Isle Forêt as that island is claimed by the Messessaga Indians, as before reported. All which is most humbly submitted to Your Lordship's wisdom.

HUGH FINLAY, in the Chair.

Quebec, 18th June, 1789.

*Vol. III, Ontario Archives, 1905, p. LXV.

Upon which it was ordered by His Excellency the Governor with the advice of the Board that the Surveyor-General report the following surveys:

1st. For Sir John Johnson, Bart.: One thousand acres bounded on the south by the River St. Lawrence, and on the west by the River Gananoque, now called the Thames, in the accustomed proportions of depth and front upon the River St. Lawrence, the north running parallel to a straight line across the tract on the south boundary, and the east parallel to a straight line across the tract on the west boundary.

2nd. For Joel Stone: Any quantity not exceeding seven hundred acres at the option of the petitioner, bounded on the south by the River St. Lawrence, and on the east by the River Gananoque, now called the Thames, in the accustomed proportions of depth and front upon the River St. Lawrence, the north running parallel to the south, and the west parallel to the east boundary.

3rd. For Sir John Johnson, Bart.: Two small islands known by the names of Nut Island and Isle au Bled d'Inde, lying opposite the mouth of the River Gananoque or Thames.

4th. For Thomas Handfield, his wife and eight children: Nine hundred and fifty acres on the Ottawa or Grande River.

5. For Robert Clarke: Lot No. 18 in the First Concession of the Township of Ernest Town.

7. For Abraham Pastorius, his wife and four children: One thousand acres adjoining the Seigneurie of St. Sulpice.

9. For the heirs of Mr. Hay, late Lieut.-Governor of Detroit: Seven hundred acres between the upper and lower settlements.

10. For Lieut. Henry Hay: Five hundred acres adjoining to the lands to be surveyed for the heirs of the late Lieut. Governor Hay.

11. For Adam Impey and the heirs of Lieut. Henry Hare, of the Indian Department: Five hundred acres upon the Ottawa River.

12. For Frederick Rastoul, Louis March à terre, Francois Jacquet and J. B. Ferré: Two hundred acres each at Toronto near Mr. Rocheblave's tract.

13. For Antoine Landriaux, Joseph Pagé, Adam Weimer, and the heirs of Orillat: Two hundred acres each at Toronto.

14. For Richard Beasely and Peter Smyth: Two hundred acres each, one at Toronto, the other at Pemistiscutianka, a place on the north of Lake Ontario, if in the gift of the Crown, and not interfering with any public or general arrangement.

15. For Richard Goring: Two hundred acres on the south side of Lake St. Francis, if in the gift of the Crown, and not interfering with the allotments already ordered.

Read the memorials of Normand McLeod, Jacob Schiefflin, Joseph Moore, Baron Schaffalitzky, and a representation of Joseph De Longueuil, Esq., in behalf of certain reduced officers who served at Bennington, filed this day, upon which it was ordered by His Excellency the Governor with the advice of the Board that the Surveyor-General report the following surveys:

1. For Normand McLeod: Five hundred acres on the Ottawas River near the tract allotted to the officers of the late 84th Regiment.

2. For Jacob Schieffelin: Five hundred acres on the north side of the Ottawas at Chipoile in the third township supposed to be lots No. 25, 26 and 27, if vacant and unlocated.

3. For Joseph Moore: The Town Lot No. 34 in Queen Street at William Henry, if vacant and unlocated.

4. For Baron Schaffalitzky: Five hundred acres at the River Chateauguay, if not interfering with the allotments already made.

5. For Godefroy De Tonnancourt, Mon. Bleury and Mon. Piedmont: Five hundred acres each at the River Chateauguay, if not interfering with the allotments already made.

Wednesday, 26th August, 1789.

Present: His Excellency The Right Honble. Lord Dorchester, The Honble William Smith, Esq., Chief Justice; Hugh Finlay, George Pownall, Thos. Dunn, Henry Caldwell, Edw'd Harrison, William Grant, John Collins, Francis Baby, A. Mabane, Chas. De Lanaudiere, J. G. C. Delery, Esquires.

Read the following Report:

My Lord: The Committee of the whole Council, to whom it was referred, to consider what additions might be expedient for the conduct of the Land Office Department, have had several meetings for deliberating upon that subject; and submit their Journal annexed hereto, containing the additional Articles, which the Committee conceive adequate to the several objects of the Reference. All which the Committee most humbly submit to Your Lordship's great wisdom.

WM. SMITH, Chairman.

Quebec, Friday, 21st August, 1789.

Journal of a Committee of the whole Council charged to consider of such additions, rules and regulations as were expedient for the conduct of the Land Office Department.

Met on Wednesday, the 19th August, 1789. Present: The Chief Justice, Messrs. Finlay, Pownall, Dunn, Caldwell, Harrison, Grant, Collins, Baby, Delery, Davison.

This letter to the Chairman was read:

Quebec, 19th August, 1789

Sir: His Excellency Lord Dorchester having grounds to apprehend that delays and abuses have arisen in the land-granting Department, on account of the distance of the Surveyor-General's Office from its agents or deputy surveyors in various parts of the Province, and that some of the said surveyors have in

divers instances attempted to dispose of the waste lands of the Crown without authority, under pretext of executing the King's Instructions to the Governor relative to the allotments to be made to disbanded troops, and under other colours and pretences, I have His Lordship's commands to intimate his desire, that you convene the Council for the purpose of deliberating and reporting to him their opinion of the most effectual way of curing the evil and whether it may not be expedient for that purpose to put the said surveyors under the control and supervision of the Land Boards in the different parts of the Province, and to transfer to the said Boards, jointly with the magistrates and officers of Militia and other intelligent planters, the discretionary power now remaining with the said surveyors, of deviating in certain cases from the models prescribed in the Xth Article of the Rules and Regulations for the conduct of the Land Office Department of the 17th of February last, respecting the scites of the towns and the directions of the roads, as also whether the Regulations contained in the said Tenth Article respecting a subdivision of town plots, reservations for the Crown, and public uses, and the directions of the roads, may not, in part, at least, be extended to the townships laid out prior to the said Regulations, though many of them are now far advanced in their settlements, and further, whether it may not be advisable to empower the said Boards to receive applications and issue certificates for building lots in such towns as are, or may hereafter be laid out in the different Districts, upon certain conditions. I am, Sir, Your most obedient humble Servant. (Signed) HENRY MOTZ.

At a meeting on the 21st August, 1789.

Present: The Chief Justice, Messrs. Finlay, Caldwell, Dunn, Grant, Harrison, Baby, Collins, Davison, Mabane, De Lanaudiere, Delery, Dupré.

The Chairman produced to the Committee a draft of additional instructions in the Land Office Department for the consideration of the Committee, to be reported with such amendments as the board may approve, in compliance with the intention expressed in the reference. The draft adjusted and approved and ordered to be reported in the Committee is in the words following, viz't:

Additional Rules and Regulations for the conduct of the Land Office Department:

I. Whereas there is reason to apprehend that delays and abuses have arisen in the Land Granting Department, on account of the distance of the Surveyor-General's Office from its agents or deputy Surveyors in various parts of the Province and that some of the said surveyors have in divers instances attempted to dispose of the waste lands of the Crown without authority, under pretext of executing the King's instructions to the Governor relative to the allotments of lands to be made to disbanded troops, and under other colours and pretences, it is therefore hereby ordered and directed, that all surveyors employed by the Government under instructions from the Surveyor-General's Office for making surveys and allotments of the waste lands of the Crown in any part of the Province, forthwith make reports to the land boards for the respective districts of all allotments made by them (the said surveyors) specifying their authority; that individuals conceiving themselves secured in the possession of such unauthorized locations, as are aforementioned, may be apprized of the error. And the boards are to keep a vigilant eye over all encroachments by individuals upon the waste lands of the Crown under pretext of such unauthorized locations or otherwise; communicating such full information as may be requisite for discriminating the case of deceived and incautious settlers from other intruders, that those who

may reasonably expect the favour of government may receive such indulgences as their cases may be found to require.

II. No allotments whatever shall henceforth be made by any of the said surveyors, except by the written authority, directions or certificate of the respective boards. And as often as such certificate or authority of the board shall come to the hands of the surveyor, to whom the same is directed, it shall be his duty to locate the tract therein mentioned and give his Certificate of Location to the intended grantee, at the foot or on the back of the authority of the board accordingly.

And as often as an order of the Governor-in-Council issues for a grant of lands to be made, the Clerk of the Council shall transmit a copy thereof to the board of the district in which the lands to be granted are situated, to enable the board to give the authority before directed for the tract being located by the surveyor.

III. The boards are to take care that the orders contained in the tenth article of the Rules and Regulations for the Conduct of the Land Office Department of the 17th of February last, relative to the dimensions and subdivisions of townships, be duly executed by the different surveyors, and for this purpose the said orders are here inserted at length for the information and guidance of the boards, viz't:

The dimensions of every inland township shall be ten miles square and such as are situated upon a navigable river or water shall have a front of nine miles and be twelve miles in depth.

The town plot in every township shall be one mile square. In an inland township it shall be situated in the centre thereof and in a township upon a navigable river or water, it shall be in the centre of the front bordering upon the river or water.

Every town lot shall contain one acre more or less.

Every town park shall contain twenty-four acres more or less.

Every farm lot shall contain two hundred acres more or less.

There shall be a public square or parade in the centre of the town containing four acres more or less. (G)

There shall be four more public squares or parades of the like extent at equal and convenient distances from the centre. (G)

A square of four acres more or less shall be reserved on each side of the centre square for places of divine worship, one parsonage house, one school house, a court or town house, a prison, and a poor or work house. (B and C.)

A square of four acres more or less shall be reserved at each of the four corners of the town plot for a common burying-ground, hospital, &c. (F)

Four squares of four acres each, more or less shall be reserved for market places, at the four extremities of the town in a line with, and at equal distances from, the four corners. (H)

The eight principal streets leading from the centre square shall be ninety-six feet wide. All other streets shall be sixty feet wide. All the squares shall be open at the angles or corners.

An area of half a mile more or less in depth, surrounding the town, shall be reserved for works of defence if necessary, or such other disposition as shall be thought proper at a future period. (A)

The town park shall adjoin and surround the area just mentioned and shall be two hundred and eighty-eight in number in every inland township and two

hundred and eighteen in number in every township situated upon a navigable river or water.

One town park shall be reserved for a minister and one for a schoolmaster, adjoining each other. (I and K)

The remainder of the township shall be laid out in farm lots, the number of which in every inland township, is to be two hundred and fifty-two, and in every township situated on a navigable river or water, three hundred.

Two farm lots shall be reserved for a minister and one for a schoolmaster, situated behind the town parks, to be reserved for them respectively, and in that division of the farm lots which is nearest to the town.

In each of the four corners of every inland township, eight farm lots adjoining each other shall be reserved in the hands of the Crown. (A)

In each of the four corners of every township situated upon a navigable river or water, ten farm lots adjoining each other shall be reserved in the hands of the Crown. (A)

The roads in every township shall be sixty-six feet wide.

Copies of the approved plans according to the above particulars, filed in the Council Office are to be transmitted to each of the boards for their more particular information.

IV. And inasmuch as local circumstances may sometimes render a deviation from the foregoing orders respecting the scite of the town and the directions of the roads, more eligible for the general convenience of the settlers, the boards are hereby authorized to direct such deviations therefrom in the said particulars, as the circumstances may require; but the surveyors shall, on no pretence whatever, make any deviation from the general orders, in these or any other respects, but by the written authority of the Boards.

And it shall be the duty of the boards in every such case to report the reasons for their act to the Governor or Commander-in-Chief for the time being, with all convenient speed.

V. For the exercise of due caution in the ordering of any such deviation from the general models respecting the scites of towns and the directions of roads, as may be authorized by the boards under the preceding article, it shall be the duty of the boards as often as one or more new townships are to be laid out, to call in the magistrates, the officers of the militia and other intelligent planters of the vicinity thereof or the district at large, as the importance of the case may require; to assist in their deliberations respecting the aforesaid particulars; the majority of whom and of the members of the board present shall determine the necessity of the deviation proposed and the proper spot for the town, and the proper directions of the roads in every such township, and the board shall thereupon proceed to authorize and report the same as directed in the preceding article.

VI. With respect to all townships laid out prior and not according to the foregoing Regulations (many of which townships are now considerably advanced in their settlements), the boards are nevertheless to deliberate and fix upon the proper scites for towns, town parks, glebes for a minister and schoolmaster, and the directions of the roads in the manner directed in the preceding article. If the choice shall fall upon lands already located in due form, the consent of the occupants or rightful claimants must first be obtained by an agreement between them and the inhabitants of the township in general; to facilitate which the boards are hereby authorized to give them severally certificates directed to one of the acting surveyors of their district, for as many acres of the

vacant lands of the Crown in that or any other township as they shall have relinquished their claim to by the agreement so made.

VII. As often as the complete execution of the directions contained in the third article of these regulations shall be prevented, by reason of the necessary space for that purpose being already under promises of grants to individuals who may be unwilling to relinquish their claims to the same, the boards are to observe the following order in providing spaces for the general convenience for the township, viz.:

1. One or more place or places for the public worship of God.
2. A common burying-ground.
3. One parsonage house.
4. A common school house.
5. A town park for one minister.
6. A town park for one schoolmaster, common to the town.
7. A glebe for one minister.
8. A glebe for one schoolmaster, common to the town.
9. The court or townhouse.
10. The prison.
11. The poor or work house.
12. A market place.

proceeding therein and in the other offsets pointed out in the third article of these Regulations as far as circumstances may permit.

VIII. As often as the settlements of the farm lots in a township are sufficiently advanced, in the opinion of the boards, to render the distribution of the town lots useful for the establishment of mechanics and the erection of a church, parsonage and school house, &c., the boards are to order the surveyor to lay out the town lots and number the same; after which the boards are to receive applications and upon due examination of the character and pretensions of the petitioners, to issue to them certificates, for such lots, in the usual manner.

IX. The boards shall not issue any certificate for more than one town lot of one acre or one town lot and one town park of twenty-four acres together to the same person (being the head of a family) and this only upon condition of his building a dwelling-house on such town lot and occupying the same, within the space of one year from the date of the certificate. And in cases of competition the boards are to give the preference to such applicants for whose trades and occupations the respective lots, on account of their situation near the water or otherwise may be best calculated and to such sober and industrious mechanics whose trades are most necessary to the convenience of the township in general. And the boards are to be particularly careful to discountenance frivolous applications and not to authorize any transfers of unimproved town lots and town parks which only tend to create a mischievous monopoly of the ground. Nor shall any town parks be granted separately from town lots, the former being intended for the convenience of the settlers upon the latter and a failure in the conditions upon which the town lots are granted shall operate the forfeiture of both.

X. Nothing contained in the foregoing Rules and Regulations shall be construed to prevent the Surveyor-General or Deputy Surveyor-General from the execution of his duty and instructions in whatever part of the Province either of them may be present nor to extend to the abolition, relaxation or restric-

tion of the accustomed chain of duty or official intercourse between the Surveyor-General's Office and its agents or deputy surveyors respectively in any part of the Province.

WM. SMITH, Chairman.

21st August, 1789.

His Lordship was pleased to signify his approbation of the Rules and Regulations reported by the Committee, suggesting only as an amendment of the Third Article, that the concluding sentence thereof beginning with the word "copies" and ending with the word "information" be struck out, and that the following words be substituted instead thereof:

And all streets and roads are to intersect each other at right angles at the distances and in the directions laid down in the approved plans, filed in the Council Office, according to the foregoing particulars, copies of which are to be transmitted to each of the boards for their more ample information.

The board concurring in the amendment, it was ordered by His Lordship that the Clerk cause the amended Rules and Regulations to be printed, and that he transmit copies thereof to the different boards and to the Surveyor-General's Office for their government.

Monday, 9th November, 1789.

Present: His Excellency The Right Honourable Lord Dorchester, The Honourable William Smith, Esquire, Chief Justice; Hugh Finlay, William Grant, Thomas Dunn, Francis Baby, Edward Harrison, Henry Caldwell, John Collins, Charles De Lanaudiere, Adam Mabane, J. G. C. Delery, George Pownall and Le Ct. Dupré, Esquires.

Read the following report of the Land Committee, respecting the tract lately purchased from the Indians in the Township of Edwardsburg, viz't:

To His Excellency The Right Honourable Guy, Lord Dorchester, etc.

At a meeting on Tuesday, the 3rd of November, 1789, at the Bishop's Palace. Present: Mr. Finlay, in the Chair; Mr. Collins, Mr. Grant, Mr. Lanaudiere.

My Lord: In obedience to Your Lordship's commands signified in Mr. Motz's letter to Mr. Finlay of the 26th of October, we have taken into consideration the papers which were therein inclosed, and having heard the Surveyor-General's Office on the matter contained in (Paper No. 1) the Resolves of the Land Office Board for the District of Lunenburg, held at Edwardsburg the 21st of September last, where Richard Duncan, Esq'r, sat as President assisted by a number of the civil magistrates, field officers and captains of militia and other gentlemen of the district: We most humbly report:

I. That considering the bounds of the tract of land lately purchased from the Indians lying in Edwardsburg and intended for the scite of a town, the Committee recommend that government relinquish the reserve of the half mile area round the town there to be built and that that area may, in this peculiar situation, be laid out into town parks of six acres and a rod each, to be disposed of as Government may see fit to direct hereafter, six acres including the east point and a like quantity including the west point (the extremities of the front on the side of the river) to remain for the use of the Crown.

II. The Committee are of opinion that the 5th Article of the said Resolves, as far as relates to the dimensions and mode of constructing the houses to be built in the first and second streets in the front of the town and in the third and fourth streets, should be adopted, viz't: In the first and second streets the houses shall be twenty-four feet long and eighteen feet broad at least, by one story and a half in height from the ground and the houses in the third and fourth streets shall not be built of less length than twenty-four feet and eighteen feet broad and one story high from the ground, framed and clapboarded, or of stone and brick, well finished within a year from the date of the certificate or permission to take possession of the lot.

III. And they recommend that the tract of land to be reserved for the future support of a seminary of education for the district may be of two miles square, immediately in the rear of the town parks; and the glebe for a clergyman and one for a schoolmaster be laid off adjoining and behind the seminary lands, in the middle part of the tract.

IV. The Committee conceive that the possessors of town lots should not be laid under restraint relative to the transfer of that property.

V. They are clearly of opinion that Mr. Verneil De Lorimier's pretension to a right of possession of any part of the land lately purchased from the Indians in Edwardsburg has no foundation either from the Deputy Surveyor-General's letter of the 22d of January last or any other subsequent permission from the Surveyor's Office.

VI. The Committee humbly conceive that the Land Office Board for Lunenburg may, in consequence of the 8th Article of Your Lordship's Additional Rules and Regulations of the 25th of August last for the conduct of the Land Boards, grant certificates for taking up lots in the new town, as soon as it may please Your Excellency to have it laid out.

VII. The Committee are of opinion that the proposition of Mr. Daniel Jones (set forth in the paper No. 2 referred) to build a house for the temporary accommodation of the Courts of Justice, would be of great convenience to the inhabitants of the District of Lunenburg; they therefore humbly recommend that Mr. Jones may have his choice of a town lot for the building he intends to erect, so as not to interfere with any of the reserves for the Crown or public building within the town.

VIII. And, on full consideration of the prayer of Major Peter Drummond and his associates, recommended by Richard Duncan, John Munro and Justice Sherwood, Esq's, three of the members of the Land Board for Lunenburg contained in Paper No. 4, for permission to build a saw-mill on a certain space of four superficial acres within the limits of the town, the Committee are of opinion that the prayer should be granted.

All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 3rd Nov'r, 1789.

His Lordship with the advice of the Board approved of the foregoing report of the Committee with a saving nevertheless to the Land Board of Lunenburg to be further heard thereon if they shall think it expedient to communicate any further information on any part of the said report. And with exception to that part thereof hereinafter directed to be disposed of, respecting the area for town parks.

Ordered by His Lordship with the advice of the Council, that the Land Board for the District of Lunenburg issue Certificates of Occupation for town lots and town parks in the proposed town in Edwardsburg, as their discretion may direct, in conformity to the Additional Rules and Regulations of the 26th of August last, except in cases of competition and claims of prior right, which are to be reserved for the decision of the Governor-in-Council.

Ordered by His Lordship with the advice of the board, that the Land Board for the District of Lunenburg cause a tract of five hundred acres to be assigned to Mr. Francis Verneil De Lorimier, and a like tract of five hundred acres to Mr. G. De Lorimier in satisfaction for their joint petition for lands elsewhere in such part of the Indian Tract in Edwardsburg, or such other part of the District of Lunenburg as they may respectively point out, without interfering with any general rules and regulations.

Ordered by His Lordship with the advice of the board, that the Land Board for the District of Lunenburg issue a Certificate of Occupation to Major Peter Drummond and Captains William Fraser, Thomas Fraser and Hugh Munro jointly for such a space of four acres in the proposed town in Edwardsburg, convenient for the erection of a mill, as the board shall think proper, without interfering with any general rules and regulations.

Ordered that a copy of the above be communicated to the Land Board for the District of Lunenburg for their guidance.

His Lordship intimated to the Council that it remained a question, upon the late regulations for the disposition of the waste lands of the Crown, whether the Board constituted for that purpose were authorized to make locations to the sons of loyalists, on their coming to full age; and that it was his wish to put a mark of honour upon the families who had adhered to the unity of the Empire and joined the Royal Standard in America before the Treaty of Separation in the year 1783.

The Council concurring with His Lordship it is accordingly ordered that the several land boards take course for preserving a registry of the names of all persons falling under the description aforementioned, to the end that their posterity may be discriminated from future settlers, in the parish registers and rolls of the militia of their respective districts and other public remembrancers of the Province, as proper objects, by their persevering in the fidelity and conduct so honourable to their ancestors, for distinguished benefits and privileges.

And it is also ordered that the said land boards may, in every such case, provide not only for the sons of those loyalists, as they arrive to full age, but for their daughters also, of that age, or on their marriage, assigning to each a lot of two hundred acres more or less, provided nevertheless that they respectively comply with the general regulations, and that it shall satisfactorily appear that there has been no default in the due cultivation and improvement of the lands already assigned to the head of the family of which they are members.

Read a report of the Land Committee of the 7th of August last on a claim of Messrs. Curotte to Grand Isle, opposite to Cataracoui, with the opinion of the Attorney and Solicitor-General, and other papers annexed thereto.

Ordered that Messrs. Dunn, Mabane, Fraser, De Belestre, De Longueuil and De Boucherville be a committee for examining the said report and papers, and that they report their opinion respecting all questions both of law and fact arising thereon.

Thursday, 24th December, 1789.

Present: His Excellency The Right Honourable Lord Dorchester, The Hon'ble William Smith, Esquire, Chief Justice; Hugh Finlay, George Pownall, Thomas Dunn, Henry Caldwell, Edward Harrison, William Grant, John Collins, Francis Baby, Adam Mabane, Chas. De Lanaudiere, J. G. C. Delery, Le Comte Dupré, Esq'srs.

Read the journal and report of the Land Committee on a reference of the schedules of location made in the Districts of Lunenburg and Mecklenburg, reported by the Surveyor-General's Office to His Lordship. Referred to a committee of the whole council.

Read the report of the Land Committee on a draft for pointing out a course of proceeding to the respective boards; and for the safe-keeping of the Land Office papers by the Clerk of the Council. Referred to a committee of the whole Council for a report thereon, with such alterations and additions as they may think advisable, and for adjusting the proper form for issuing the proposed order, as an addition to the Rules and Regulations for the Conduct of the Land Office Department.

Read the report of the Land Committee on a draft for directing the order of the Governor-in-Council of the 22nd October, 1788, to be executed by the respective boards. Referred to a committee of the whole Council for a report thereon, with such alterations and additions as they may think advisable. And they are directed to consider whether the proposed course may not be amended by instructing the boards eventually to ascertain and report the location of all tracts, to which they shall think claimants, under the aforementioned order entitled. At the same time that they report on the extent of the tracts, so that both may receive the final approbation or order of the Governor and Council, before the faith of Government is pledged to individuals. And the Committee are likewise to adjust the proper form for issuing the proposed order, as an addition to the Rules and Regulations for the conduct of the Land Office Department.

Read a report from the Land Committee on a letter from the Land Office Board for Mecklenburg dated the 23rd of September, 1789, accompanied with reports from that board, with the Deputy Surveyor's return of lands granted in that district between the 1st of October, 1788, and 23rd September, 1789. Referred to a committee of the whole Council.

Read a report of the Land Committee on a letter from Mr. Rankin, an Acting Surveyor, to Mr. Collins, Deputy Surveyor-General, with his answer concerning lands located on the south bank of the Ottawa River. Referred to a committee of the whole Council.

His Lordship informed the board that he had given directions for a monthly report of the persons employed in the Surveyor-General's Office at Quebec, and of the business in which they are engaged, marking the progress made therein from time to time. The report delivered in consequence thereof for the present month was, at the same time, communicated by His Lordship, and ordered to lie on the table for the information of the board.

At a Council holden at Quebec on Wednesday, the 20th of January, 1790.

Present: His Excellency Lord Dorchester, Governor; The Honourable William Smith, Esquire, Chief Justice, and The Honourable Hugh Finlay, Henry Caldwell, Edward Harrison, William Grant, John Collins, Charles De Lanaudiere, J. G. C. Delery, George Pownall and Le C'te Dupré, Esquires.

Whereas there were this day read at the board the following reports, viz.:

Journal and report of the Land Committee, on a reference of the schedules of location made in the Districts of Lunenburg and Mecklenburg, reported by the Surveyor-General's Office to His Excellency Lord Dorchester: At a meeting on Friday, 11th Dec., 1789. Present: Mr. Finlay in the Chair, Messrs. Collins, Grant and De Lanaudiere.

The Chairman laid before them a letter from Mr. Secretary Motz of the 9th instant, addressed to Mr. Finlay as President of this Committee, and in obedience to His Excellency Lord Dorchester's commands therein signified they proceeded to consider:

I. How far the schedules referred to their examination are conformable to the Rules and Regulations laid down for the Conduct of the Land Office Department on the 17th of February last.

II. How far they are adequate to the objects therein proposed.

III. What further course is necessary to render the schedules adequate to the end proposed by the said rules and regulations.

IV. What communications ought to be made to the boards on transmitting the schedules to them for the greater accuracy of the proceedings to be founded upon them.

V. To enquire of the Surveyor-General's Office what the views were there, touching the nature, utility and effect of the schedules.

VI. Whether the acting surveyors of the respective districts are furnished with copies of surveys of their districts; and lastly, to examine the particular surveys of the different townships, compare them with the schedules and report thereon.

The Committee took up the schedules of the locations made in the Township of Lancaster, in the District of Lunenburg, which they found framed with all the columns directed by the XV Article of the Rules and Regulations of the 17th of February last, viz't: a column for the names of the petitioners, a column for the quantum of location, another for the place where the location is situated, together with a column for the dates of the certificates granted, which last column is uniformly blank throughout the whole schedule; and so it is likewise in all the other schedules referred to this committee, And having made enquiry of the Surveyor-General's Office why that column has not been filled up, Mr. Collins (the Deputy Surveyor-General) made answer that when he received directions to issue certificates of location in the new districts above Montreal by Order of Government, from the year 1784 to the year 1787 inclusive, it had not been required of him to make any entry or memorandum of the dates of the certificates issued for locations, and he added that if it shall now be considered that the dates of the certificates formerly granted should appear on the schedules, in order to give greater security to the persons who hold them as pledges of the faith of government for grants hereafter to be made out in due form, he conceives that without much difficulty they may be obtained through the justices of the respective districts at their next meeting in General Quarter Sessions of the Peace, by giving previous notice that they are wanted. Or they may be procured by the Land Office Boards on advertisement for that purpose; and when procured, entered on the schedules in their keeping; and copies of the said dates may be ordered down from the boards to be entered on the schedules remaining in the Surveyor-General's Office at Quebec.

Finding in the schedules referred, three columns not required by the rules aforementioned, the first under the head, wife; the second headed males, and the third, females, the Committee questioned the Deputy Surveyor G. thereupon, who informed them that they had been inserted by a mistake of the clerk who had ruled the forms.

The Committee next considered how far the schedules are adequate to the objects proposed in the rules and regulations, and they are humbly of opinion that they may serve as a register of the names of those persons who have obtained locations in the new districts, who rely on the faith of government for a confirmation of the lands they actually possess under certificate, by grants under the Great Seal of the Province; those schedules will likewise show the number of acres each occupant is entitled to hold, they will point out the district and township where situated; and ascertain the concession or range of lots in which the lands lie, so precisely as that a patent under the Great Seal, or otherwise as Government shall think proper, may issue thereupon.

It does not appear to the Committee that any further course is necessary to render those schedules adequate to the end proposed, notwithstanding the column for the dates of the certificates of location is blank. They may nevertheless be improved in form, so as to render it easier for the Land Boards to discover the unlocated lots in the township of their respective districts; and for that purpose the Committee submit humbly the model of a schedule hereunto annexed and marked A, together with an index to that schedule, marked B.

No further communications occur to the Committee, needful to be made to the respective Land Boards, on transmitting the schedules for the greater accuracy of the proceedings to be founded thereon but it may be expedient to remind them that the locations made in their districts from time to time are to be entered on the schedules, and as is directed by the V, VI and VII articles of the rules and regulations for their conduct, they are to transmit to the office of the Governor's Secretary, and to one another, lists of the certificates granted by them, to prevent any person from obtaining by applications in different districts more land than he is entitled to.

The Committee humbly suggest that if surveys of such townships as the Land Office Boards were not possessed of, were to accompany the schedules, they might be very useful in enabling the boards to discriminate, on simple inspection, the vacant lands of the Crown from those already located.

The Deputy Surveyor-General in answer to the question, What were the views of the Surveyor-General's Office touching the nature, utility and effect of the schedules reported by that office, said he presumes the intentions of government in ordering the Surveyor-General's Office to form schedules of all lots under certificates, was that those schedules should shew at one view the quantity of land each proprietor had received; and, as to their utility and effect, he conceives they were intended to serve as a record in the Surveyor-General's Office, and give greater security to the proprietor for the location assigned him.

And, on asking further, whether the acting surveyors of the respective districts are furnished with copies of the surveys of their districts he answered, That Mr. Chewet, Surveyor of the District of Luneburg, has been furnished with all the surveys made in that district that have been returned into the Surveyor-General's Office; and the surveys of all townships in Mecklenburg were sent to the Land Board for that district, excepting the plans of certain townships kept back by the Surveyor-General's Office for reasons assigned by the Deputy Surveyor-General, and reported by the Land Committee to His Excellency Lord Dorchester on the 26th of last Nov'r, but he informed the Committee that the

surveys so kept back are now in readiness to be transmitted, and they will accompany the schedules of location which are to be sent to the Land Board for their more ample information.

The Committee then directed the Deputy Surveyor-General's Office to lay before them the particular surveys of the different townships, that they might examine how far they correspond with the schedules referred, and on their being produced the Committee took up the plan of the first township, named Lancaster, in the District of Lunenburg, and proceeded to compare it with the schedule of locations made therein, and on inspection they found that the plan does not correspond with the schedule in the following particulars, viz't:

Entries in the Schedule
Lt. Wm. Sutherland.
Thomas Graham, $\frac{3}{4}$ of lot No. 12 in 4th Concession.
Jo. Cameron, $\frac{1}{2}$ of No. 30 in 4th Concess'n.

Wm. Noble, $\frac{1}{4}$ of No. 32 in 4th Concess'n.
John McDougal, $\frac{3}{4}$ of No. 33 in the 4th Concession.
Ralph Falconer, Jun'r, No. 25 in 3d Con'n.

James Young:
 $\frac{1}{2}$ of 26 in 3d Con.
26 in 4th Con.
 $\frac{1}{2}$ of 12 in 4th Con.
Moses Williams:
 $\frac{1}{2}$ of No. 7 in 2d Con.
No. 7 in 3d Con.

Edward Tonson, $\frac{1}{2}$ of 32, 2nd Con.
Alex'r Grant, $\frac{1}{4}$ of No. 33, 4th Con.
Sambro, a negro, $\frac{1}{2}$ of 30, 3d Con.
Luke Bowman, $\frac{1}{4}$ of 28, 3d Con.
John Castles, $\frac{1}{2}$ No. 26 in 3d Con.
Widow Curroy, $\frac{3}{4}$ of No. 8, 3d Con.
Finlay McDonel, No. 8, 6th Con.
Angus McDougald, No. 17 in 7th Con.

Entries on the Survey
Lt. Sutherland.
Thomas Graham and James Young.

John Cameron, No. 30 in the 4th Concess'n, 300 acres.
N.B.—No lot contains more than 200 acres.
Wm. Noble, $\frac{3}{4}$ of 32 in 4th Concession.
John McDougal, $\frac{1}{2}$ of No. 33 in 4th Concess'n.

Ralph Falconer, No. 35 in 3d Concess'n.
N.B.—There's Sen'r. and J'r. but this is without distinction.

James Young:
No. 26 in 4th Con., 300 acres.

Nothing of No. 12 in 4th Con.
Moses Williams:

No. 7 in 2nd Concession.
7 in 3d Concession.

$\frac{1}{2}$ of 8 in 3d Ditto
Ed. Tonson, No. 32, 2d Con.
Alex'r Grant, $\frac{1}{2}$ of 33, 4th Con.
Sambro, No. 30, 3d Con.
Luke Bowman, $\frac{1}{2}$ of 28, 3d Con.
John Castles, No. 26, 3d Con.
Wid'o Currey, $\frac{1}{2}$ of No. 8, 3d Con.
Blank.

Angus McDonell, No. 17 in 7th Con.

The Committee further observed on comparing the survey with the schedule that some of the names in the schedule are differently spelled from those marked on the corresponding lots on the survey.

EXAMPLES

Schedule
Lot No. 8, 3d Con., Wid. Currey.
20, 5th Con., Jo. Canada.
24, 1st Con., Wm. Bland.

Survey
Lot No. 8, 3d Con., Wid. Carey.
Lot 20, 5th Con., Jo. Kannady.
Lot 24, 1st Con., Wm. Blond.

The Committee are of opinion that these inaccuracies may lead to perplexities; and, as at the Surveyor-General's Office alone it can be determined whether the mistakes found lie in the schedule or in the survey, the necessary corrections will be made in that office. The Committee therefore humbly recommend that both may be sent back to the Surveyor-General's Office, there to be examined and returned without error into the office of the Governor's Secretary as is directed by the XV Article of the Rules and Regulations of the 17th of February last.

All which is nevertheless humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Council Chamber, Bishop's Palace,
Quebec, 18th Dec., 1789.

A
SCHEDULE
TOWNSHIP OF LANCASTER, DISTRICT OF LUNEBURG
The Lots contain 200 Acres

Lots	First Concession Names of Grantees	Date of Location	Quantity Granted in Acres	Reference to the Index
1, 2, 3	Heirs of C. Morison		600	M
4	Lt. David McFall		200	Mc
5	Peter McIntosh		200	Mc
6	Joseph Sutherland		200	S
7	Alexander Sutherland		200	S
$\frac{1}{2}$ of 8	Thomas Sutherland		100	S
$\frac{1}{2}$ of 8	Alexander Sutherland		100	S
9, 10	Lt. Walter Sutherland		400	S
$\frac{1}{2}$ of 11	Anna Sutherland		100	S
$\frac{1}{2}$ of 11	Mary Sutherland		100	S
12	George Sutherland		200	S
13	Widow Campbell		200	C
14	Lt. Walter Sutherland		200	S
$\frac{1}{2}$ of 15	James Morrison		100	M
$\frac{1}{2}$ of 15	Mary Morrison		100	M
16	Thomas Busby		200	B
17, 18	Nathaniel Hyler		400	H
19	John Grant		200	G
20	John Dunn		200	D
21	James Hair		200	H
22	Thomas Graham		200	G
23	Lt. Walter Sutherland		200	S
24	William Bland		200	B
25	Alexander Cameron		200	C
26	Donald Ross		200	R
$\frac{1}{2}$ of 27	William Grant		100	G
$\frac{1}{2}$ of 27	Alexander Grant		100	G
28	Thomas Taylor Ross		200	R
29	Thomas Ben Ross		200	R
$\frac{1}{2}$ of 30	John Cameron		100	C
$\frac{1}{2}$ of 30	Jane Dixon		100	D

By this schedule of locations in the First Concession or range of lots, it appears that the whole are granted.

TOWNSHIP OF LANCASTER
SECOND CONCESSION

Lots	Names of Grantees	Dates of Location	Quantum Granted in Acres	Reference to the Index
1				
2				
3				
4	Lt. David McFall		200	Mc
5	Edward Tonson, $\frac{1}{2}$		100	T
6	Richard McBean		200	Mc
7	$\frac{1}{2}$, Moses Williams, $\frac{1}{2}$		100	W
8	$\frac{1}{2}$, John Carey, $\frac{1}{2}$		100	C
$\frac{1}{2}$ of 9	Lt. Walter Sutherland		100	S
$\frac{1}{2}$ of 9	John Curry		100	C
10	Cato Prince		200	P
11	Ben Baker		200	B

TOWNSHIP OF LANCASTER—SECOND CONCESSION—*Continued*

Lots	Names of Grantees	Dates of Location	Quantum Granted in Acres	Reference to the Index
12	John McDowell		200	Mc
13	John Lemon		200	L
14	James Fonda		200	F
$\frac{1}{2}$ of 15	Widow Blakely		100	B
$\frac{1}{2}$ of 15	John Flynn		100	F
16	Jack Powell		200	P
17	Richard Fountain		200	F
18	John Scarrot		200	S
19	John Grant		200	G
20	John Dunn		200	D
21	James Hair		200	H
22 }	Jacob Snyder		400	S
23 }				
24	Lieut. Walter Sutherland		200	S
25	Alexander Cameron		200	C
26	James Young		200	Y
$\frac{1}{2}$ of 27	William Grant		100	G
$\frac{1}{2}$ of 27	Alex'r Grant		100	G
28	Thos. Taylor Ross		200	R

By this schedule of the locations in the Second Concession or range of lots, it appears that some lots remain to be granted, viz't: Nos. 1, 2, 3, one-half of No. 7 and one-half of No. 8.

TOWNSHIP OF LANCASTER

THIRD CONCESSION

Lots	Names of Grantees	Dates of Location	Quantum Granted in Acres	Reference to the Index
1				
2				
3				
4				
5	Richard Fountain		200	F
6	Joseph Sutherland		200	S
7	Moses Williams		200	W
8	{ Moses Williams, $\frac{1}{4}$		{ 50	W
	{ Widow Curry, $\frac{3}{4}$		{ 150	C
	{ Lt. Walter Sutherland, $\frac{1}{2}$		{ 100	S
	{ John Curry, $\frac{1}{2}$		{ 100	C
9				
10				
11	Ben Baker		200	B
12				
13	John Lemon, $\frac{3}{4}$		150	L
14	Thomas Fonda, $\frac{1}{2}$		100	F
15	{ Widow Blakely, $\frac{1}{2}$		{ 100	B
	{ John Flynn, $\frac{1}{2}$		{ 100	F
16				
17				
18				
19	John Grant		200	G
20 }	Augustus Sealey		400	S
21 }				
22	Thomas Graham		200	G
23	Jacob Snyder		200	S

TOWNSHIP OF LANCASTER—THIRD CONCESSION—*Continued*

Lots	Names of Grantees	Dates of Location	Quantum Granted in Acres	Reference to the Index
24	Jeremiah Snyder		200	S
25	Augustus Sealey		200	S
26	{ James Young, $\frac{1}{2}$ John Castles, $\frac{1}{2}$		{ 100 100	{ Y C
27	Londonderry		200	L
28	{ John Wright, $\frac{1}{2}$ Luke Bowman, $\frac{1}{4}$		{ 100 50	{ W B
29	Mary Edge		200	E
30	{ John Cameron, $\frac{1}{2}$ Sambro, $\frac{1}{2}$		{ 100 100	{ C S

It appears by this schedule of locations in the Third Concession or range of lots, that Nos. 1, 2, 3, 4, 10, 12, 16, 17, 18, a quarter of Lot No. 13, $\frac{1}{2}$ of 14, and $\frac{1}{4}$ of 28 remain vacant.

INDEX TO THE SCHEDULE OF LOCATIONS IN LANCASTER

Names of Grantees	Concessions			Acres Granted	Names of Grantees	Concessions			Acres Granted
	First	Second	Third			First	Second	Third	
A	Lot	Lot	Lot		B	Lot	Lot	Lot	
					Busby Thomas	16	.....	.....	200
					Bland William	21	.....	.....	200
					Baker, Ben	.....	11	11	400
					Blakely, Widow	.....	$\frac{1}{2}$ 15	$\frac{1}{2}$ 15	200
					Bowman, Luke	.....	.....	$\frac{1}{4}$ 28	50
C	I Lot	II Lot	III Lot	Acres	D	I Lot	II Lot	III Lot	Acres
Campbell, Widow	13	.....	.....	200	Dunn, John	20	20	.....	400
Cameron, Alex'r	25	25	.....	400	Dixon, Jane	$\frac{1}{2}$ 30	.....	.....	100
Cameron, John	$\frac{1}{2}$ 30	.....	$\frac{1}{2}$ 30	200					
Carey, John	.....	$\frac{1}{2}$ 8	.....	100					
Currey, John	.....	$\frac{1}{2}$ 9	$\frac{1}{2}$ 9	200					
Currey, Widow	.....	.....	$\frac{3}{4}$ 8	150					
Castles, John	.....	.....	$\frac{1}{2}$ 26	100					
E	I Lot	II Lot	III Lot	Acres	F	I Lot	II Lot	III Lot	Acres
Edge, Mary	.....	.....	29	200	Fonda, James	.....	14	.....	200
					Flynn, John	.....	$\frac{1}{2}$ 15	$\frac{1}{2}$ 15	200
					Fountain, Richard	.....	17	5	400
G					H				
Grant, Jo.	19	19	19	600	Hyler, Nathaniel	17.18	.....	.....	400
Graham, Thos.	22	.....	22	400	Hair, James	21	21	.....	400
Grant, Wm.	$\frac{1}{2}$ 27	$\frac{1}{2}$ 27	.....	200					
Grant, Alex'r	$\frac{1}{2}$ 27	$\frac{1}{2}$ 27	.....	200					
I	I Lot	II Lot	III Lot	Acres	K	I	II	III	Acres

INDEX OF LOCATIONS IN LANCASTER—*Continued*

Names of Grantees	Concessions			Acres Granted	Names of Grantees	Concessions			Acres Granted
	First	Second	Third			First	Second	Third	
L	I	II	III	Acres	M	I Lot	II Lot	III Lot	Acres
Lemon, John	.....	13	$\frac{3}{4}$ 13	350	Morrison, C., heir of	1, 2, 3	.....	.....	600
Londonderry	.....	.....	27	200	McFall, Lt. David	4	4	.....	400
					McIntosh, Peter	5	.....	.....	200
					Morrison, James	$\frac{1}{2}$ 15	.....	.....	100
					Morrison, Mary	$\frac{1}{2}$ 15	.....	.....	100
					McBean, Richard	.....	6	.....	200
					McDowel, John	.....	12	.....	200
N	Lot	Lot	Lot		O	Lot	Lot	Lot	
P	I Lot	II Lot	III Lot	Acres	Q	I Lot	II Lot	III Lot	Acres
Prince, Cato	.....	10	.....	200					
Powell, Jack	.....	16	.....	200					
R	I Lot	II Lot	III Lot	Acres	S	I Lot	II Lot	III Lot	Acres
Ross, Donald	26	.....	.....	200	Sutherland, Joseph	6	.....	6	400
Ross, Thomas Taylor	28	28	.....	400	Sutherland Alexander	7 and	.....	.....
Ross, Thomas Ben	29	.....	.....	200	Sutherland Thomas	$\frac{1}{2}$ 8	.....	.....	300
					Sutherland, Lt.	$\frac{1}{2}$ of 8	.....	.....	100
					Walter	9. 10	$\frac{1}{2}$ 9	.....
					Sutherland, Anna	14. 23	24	$\frac{1}{2}$ 9	1,200
					Sutherland, Mary	$\frac{1}{2}$ 12	.....	.....	100
					Sutherland, George	$\frac{1}{2}$ 11	.....	.....	100
					Scarrot, John	12	.....	.....	200
					Snyder, Jacob	.....	18	.....	200
					Sealey, Augustus	.....	22. 23	23	600
					Snyder, Jeremiah	.....	.....	20. 21	600
					Sambro	.....	.....	25	
						.....	.....	24	200
						.....	.....	$\frac{1}{2}$ 30	100
T	Lot	Lot	Lot		V	Lot	Lot	Lot	
W	I Lot	II Lot	III Lot	Acres	X	I Lot	II Lot	III Lot	Acres
Williams, Moses	.....	$\frac{1}{2}$ 7	7	350					
Wright, John	.....	.....	$\frac{1}{4}$ 8	100					
			$\frac{1}{2}$ 28						
Y	I Lot	II Lot	III Lot	Acres	Z	Lot	Lot	Lot	
Young, James	.....	26	$\frac{1}{2}$ 26	300					

To His Excellency The Right Honourable Guy, Lord Dorchester, etc.,—
Report of the Committee of the whole Council respecting the schedules of
locations in Luneburg and Mecklenburg.

May it please Your Lordship: The Committee being assembled this day in
obedience to Your Lordship's Order-in-Council of the 24th of December last,
proceeded to the consideration of the subject of the reference in the manner
stated in their journal, a copy whereof is hereunto annexed.

All which is nevertheless humbly submitted to Your Lordship's great wisdom.

WM. SMITH, Chairman.

Quebec, Bishop's Palace,
Council Chamber, 12th Jan'y, 1790.

Journal of a Committee of the whole Council on the reference of 24th
December last, of the journal and report of the Land Committee, respecting the
schedules from the Surveyor-General's Office of locations in the Districts of
Luneburg and Mecklenburg.

At a meeting Tuesday, 12th January, 1790. Present: The Chief Justice,
Messrs. Finlay, Caldwell, Harrison, Grant, Collins, Baby, Delery, Dupré,
Pownall.

Read a letter from His Lordship by Mr. Secretary Motz, with its inclosures,
in these words:

Quebec, 9th Jan'y, 1790.

Sir: The 42nd Article of the Royal Instructions of the 23d of August, 1786,
requiring that all persons, applying for lands, shall take the oaths directed by
law and subscribe the declaration mentioned in the said article, I have it in
command to signify Lord Dorchester's desire, that the Committee of the whole
Council, to whom was referred the report of the Land Committee on the schedules
of locations, exhibited by the Surveyor-General's Office, cause enquiry to be made,
whether the proper records be extant of all or any of the persons therein mentioned
having taken and subscribed the said oaths and declaration, and that they report
to His Lordship whether it may not be advisable on transmitting the said sche-
dules to the respective boards, to direct them to take course for com-
pleating the record of the signatures of all land-holders in the respective districts,
if it shall be found defective, that nothing may be neglected to clear the way for
the loyalists being put into possession of legal titles for their lands, agreeable
to His Majesty's expected instructions, as soon as they shall arrive.

His Lordship also commands me to transmit to you divers extracts from
public letters, as connected with the general subject of your deliberations upon
the present reference; and to signify his desire, that the Committee make it a
part of their report, in what way their contents may best subserve the end of
giving comfort and tranquillity to the loyalists, and encouraging and strength-
ening the western settlements and frontiers. I am, Sir, Your most obed.
humble Servant, HENRY MOTZ.

To The Hon'ble Wm. Smith, Esq'r., President
of The Honourable His Majesty's Council for
the Province of Quebec.

Extract of a letter from the Right Honourable Lord North, one of His
Majesty's principal Secretaries of State, to His Excellency Governor Haldimand,
dated Whitehall, 20th July, 1783.

And as a part of that instruction directs that all persons whatever, upon their application for lands, besides taking the usual oaths as directed by law shall make and subscribe a declaration, acknowledging His Majesty in Parliament to be the supreme legislature of the Province, I think it necessary to observe to you that the declaration, however general, cannot extend to taxation; Parliament having by the Act of the 18th of his present Majesty, intitled "An Act for removing all doubts and apprehensions concerning taxations by the Parliament of Great Britain, in the Colonies, Provinces and Plantations in North America, and the West Indies, &c.," in the most express terms restrained itself from ever imposing any taxes or duties, in the Colonies, except for the regulation of trade; the produce of which taxes or duties to be disposed of by the Provincial assemblies. Such being the case, it was judged not only unnecessary but implying some doubt of the sincerity of Parliament, to make any exception in the declaration; the exception being already made by Parliament itself, in a manner so solemn and effectual, that nothing can add to the security, the subjects in the Colonies derive under it. These observations you will naturally make a proper use of, should any objection be made to the declaration or the construction of it; and I doubt not but the necessity of guarding against disaffected persons becoming settlers in Quebec, will convince His Majesty's loyal subjects of the propriety of that test, by which they cannot be affected or deprived of any indulgence or encouragement, to which they are so justly entitled. A true extract. F.H. A true copy. HENRY MOTZ.

Extract of a letter from The Right Hon'ble Lord Sydney, one of His Majesty's principal Secretaries of State, to The Right Honourable Lord Dorchester, dated Whitehall, 3d Sept'r, 1788:

Your Lordship will, however, understand that it is the King's intention that the new settlers in that part of the Province*: who now hold their lands upon certificates of occupation, shall at all events be placed upon the same footing, in all respects, as their brethren in Nova Scotia and New Brunswick, by having their lands granted to them in free and common soccage, with a remission of quitrents for the first ten years. A true extract. HENRY MOTZ.

Read the journal and report of the Land Committee. Read also the order of reference of the 24th Dec'r, 1789. Read the journal and report of the Land Committee on a reference of the schedules of location made in the Districts of Lunenburg and Mecklenburg reported by the Surveyor-General's Office, to His Lordship.

Referred to a Committee of the whole Council. J. WILLIAMS.

Mr. Collins, Deputy Surveyor-General, submits to the Committee the manner in which he is forming the schedules and plans for the Land Boards of Lunenburg and Mecklenburg. Agreed: that the Committee are not aware of any substantial objection to his mode at present and that they may be transmitted in that form. If any amendments shall be suggested by the Land Boards for the further security of the loyalists, due consideration may be had of them for such further course as government may approve.

Mr. Collins adds that the copies of the said schedules and plans will be ready to go from the office of His Lordship's Secretary, to be transmitted accordingly by the 21st instant.

On the communication from His Lordship in the letter to the chairman, the Committee put several questions to the Deputy Surveyor-General who reported:

*Meaning the Districts west of Pointe au Baudet. H. M.

That he believes all persons holding under occupation certificates issued prior to Nov'r, 1787, did subscribe the declaration, as well as take the oaths, by His Majesty's instructions required. But as to what has been done since that period, under the conduct of the Land Boards and his country agents and deputies, he can give the Committee no certain information; but he supposes it may be obtained by the aid of those boards. Resolved thereon to be the opinion of the Committee:

First: That the several Land Boards be desired to make the proper enquiries, and to take course for exacting a compliance with the Royal Instructions, from all persons holding or to hold in future under occupation certificates and that they return a list into the office of the Clerk of the Council of such as have neglected or shall refuse such compliance; that the grants of title may be suspended, as to such as shall wilfully make default.

Second: To the intent of informing the settlers of the benevolent design and true use of the Royal Requisitions, as well as to convince them of the solidity of the plighted faith of Government and the manner of preserving the evidence of it, it is expedient that there be transmitted to each of the Land Boards (to be better known in their districts) a copy not only of the report of the Land Committee, but of the present report thereon.

WM. SMITH, Chairman.

12th Jan'y, 1790.

His Lordship taking the said reports into consideration was pleased, with the advice of the Council, to approve of the resolves of the Committee of the whole Council therein contained and to order, as it is hereby ordered, that the same be duly and punctually complied with and carried into execution; whereof the different Land Office Boards, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

The Clerk of the Council to cause five hundred copies of the above to be printed and to transmit such number to each of the different Land Office Boards, under his signature, as His Excellency the Governor shall be pleased to direct.

Whereas there was this day read at the board the following draft of regulations recommended by a Committee of the whole Council in their report dated the 12th instant, on a report of the Land Committee dated the 4th of December, 1789, viz't:

Second Addition to the Rules and Regulations for the Conduct of the Land Office Department:

Whereas the establishment of a uniform, clear and expeditious course of proceeding in the land-granting department, the late measures for settling the waste lands of the Crown considered, is important to the interests of the Crown, as well as the subject, particularly as the means of preventing uneasinesses that may arise on a question of so delicate a nature as the extent of the promised faith of government on the one hand and the security of the settler or occupant claiming lands on the other; it is therefore ordered:

1. That the several boards which are, or hereafter may be, constituted by the Governor for the disposal of the waste lands of the Crown in any part of the Province, keep a regular journal of their transactions, prefixing to every day's entries the date and the names of the members present.

2. That the minute upon every petition express the name and prayer of the petitioner and shew the nature of the proof exhibited in support of his pretensions and the determination thereon.

3. That all orders or instructions given to the boards be entered at large on their minutes for preserving a complete record both of their authorities and proceedings.

4. That a full and fair copy of such journals be transmitted every three months or oftener as the case may require, to the office of the Governor's Secretary, under the signature of three or more members of the board, together with all the petitions therein reported upon, whether granted, rejected or recommended.

5. That the copies of the said journal or minutes be accompanied or followed by regular returns of the locations made from time to time by the acting surveyors of the respective districts, under the authority of the boards, expressing the name of the grantee, the number of acres located, the number of the lots, the name of the township and the date of the certificate or authority of the board, under which the location was made.

VI. That all reports, journals, writings and papers, of any kind whatever, touching the business of the land office department and coming to the Council Office as the proper deposit, be kept by the Clerk of the Council, separate from all the other books, writings and papers in his office, and that they be so disposed of as to make a resort to them at all times as easy and satisfactory as possible. And that whenever the mass of the Land Office papers shall be so greatly increased as to embarrass the daily ordinary researches, they be put up into boxes of convenient sizes, numbered, and that there be a book kept for an alphabetical index, shewing in the readiest manner the contents of each box, and that every paper be marked with the number of the box, to the end, that it may be restored to its proper place and confusion be thereby avoided; and it is committed to the Land Committee, for the time being, to superintend the execution of the latter part of this order and to report what may be done thereon for directing such further course, as the case may require.

And it is also ordered, that the said book or index be always open to public access in the Council Office, and a copy ready for the call of any Committee of the Council, and especially of the Land Committee, together with such additions as may be thereunto made by the increase of the number of the boxes.

His Lordship, taking the said Regulations into consideration was pleased, with the advice of the Council, to approve the same, and to order, as it is hereby ordered, that they be duly and punctually complied with and carried into execution; whereof the different Land Office Boards and all the other persons whom it may concern are to take notice and govern themselves accordingly.

The Clerk of the Council to cause five hundred copies of the above to be printed and to transmit such number to each of the different Land Office Boards, under his signature, as His Excellency the Governor shall be pleased to direct.

The reports aforementioned are in the words following, viz't:

To His Excellency The Right Honourable Guy, Lord Dorchester, etc.

The report of the Committee of Council appointed to examine claims for grants of the waste lands of the Crown, on Your Lordship's reference of a draft containing regulations to be observed in the Land Office Department.

Friday, 27th November, 1789.

Present: Mr. Finlay in the Chair, Messrs. Collins, Grant and De Lanaudiere.

The chairman read a letter from Mr. Secretary Motz dated the 24th of this month, addressed to Mr. Finlay:

Quebec, 24th Nov'r, 1789.

Sir: That nothing may be neglected in the department of the Land Office to preserve incontestible remembrances of its transactions and to put them in the best state of preservation and to prevent confusion in the access to them, I am commanded by Lord Dorchester to desire that the Land Committee will deliberate upon the inclosed draft which will fully explain to them what His Lordship conceives to be necessary for these purposes and that they will propose to him such additions or alterations as their daily experience in this department may suggest, in a separate report, with all convenient speed.

The chairman then took up the draft mentioned in the letter and read as follows:

His Lordship adverted to the late measures for settling the waste lands of the Crown and the importance of preventing uneasinesses that may arise on a question of so delicate a nature as the extent of the promised faith of government on the one hand and the security of the settler or occupant claiming lands on the other hand, as well as to the advantages resulting both to Government and to the subject, from a uniform, clear and expeditious course of proceeding. [Here follows provisions I-VI, found on pp. 79-80.]

The Committee having maturely considered every article in the draft separately, in obedience to Your Lordship's commands, most humbly report:

That if the rules for transacting the business of the Land Office pointed out in the draft shall be pointedly followed up, all papers transmitted by them to the Council Office will be safely kept in the best state, incontestible remembrances of the transactions of the Land Boards will be preserved, and easy access will be had to them, so that the settlers or occupants claiming lands under the faith of government will be secured and great advantages will result to all concerned from the uniform, clear and expeditious course of proceeding therein laid down.

Nothing appears to the Committee necessary to be added to the draft but, if in the course of their daily experience in this department something shall occur that may seem to them advisable to be adopted, they will as commanded by Your Excellency report thereon.

HUGH FINLAY, in the Chair.

Council Chamber, Bishop's Palace,
Quebec, 4th Dec'r, 1789.

To His Excellency The Right Honourable Guy, Lord Dorchester, etc.,—
Report of a Committee of the whole Council, on a report of the Land Committee, respecting the proceedings by the Land Boards; and for the safe-keeping of the Land Office papers.

May it please Your Lordship:

The Committee of the whole Council being assembled in obedience to Your Lordship's Order in Council of the 24th of Dec'r came to divers resolves, as expressive of their opinion on the subject matter of the reference, stated in their journal, a copy whereof is hereunto annexed.

All of which is nevertheless humbly submitted to Your Lordship's great wisdom.

WM. SMITH, Chairman.

Quebec, Jan'y, 1790.

Journal of a Committee of the whole Council on the reference of 24th Dec'r last of the report of the Land Committee pointing a course of proceedings to the respective Land Boards, and for the safe-keeping of the Land Office papers.

At a meeting Tuesday, 12th Jan'y, 1790. Present: The Chief Justice, Messrs. Finlay, Delery, Grant, Harrison, Pownall, Baby, Collins, Caldwell, Dupré, Read the journal referred. Read also the order of reference. (24th Dec'r, 1789.)

Read the report of the Land Committee on a draft for pointing out a course of proceeding to the respective boards, and for the safe-keeping of the Land Office papers by the Clerk of the Council.

Referred to a Committee of the whole Council for a report thereon, with such alterations and additions as they may think advisable and for adjusting the proper form for issuing the proposed order, as an addition to the Rules and Regulations for the Conduct of the Land Office Department. J. WILLIAMS.

Resolved that this Committee concur with the Land Committee in their report.

Resolved further, that it is the opinion of this Committee that the fittest members of the Board of Council for carrying the last article of the additional regulations proposed into due execution will be those gentlemen who may happen to be members of the Land Committee for the time being.

WM. SMITH, Chairman.

12th Jan'y, 1790.

Whereas there was this day read at the board the following draft of regulations, recommended by a Committee of the whole Council, in their report of the 12th instant, on a report of the Land Committee of the 4th of December, 1789, viz.:

Third addition to the Rules and Regulations for the Conduct of the Land Office Department.

Whereas it is expedient on account of the remoteness of the new districts and the variety of other duties, which require the attention of the Surveyor-General's Office at Quebec, to relieve that office from the burden of executing the order of the Governor-in-Council of the 22nd October, 1788, for putting certain reduced officers upon an equal footing with those of the late 84th Regiment, and to render that labour more easy, by dividing it among the Land Office Boards in the several districts, where on account of the residence of the persons concerned, their pretensions may be investigated with accuracy and dispatch, provided a proper course be prescribed to the boards for enabling them, with due certainty, to discriminate the proper objects of the intended bounty of the government.

It is therefore ordered:

1. That all proceedings by the Surveyor-General's Office for executing the aforementioned order of the Governor-in-Council of the 22nd October, 1788, be discontinued, that the period for admitting claims under that order be extended to the first day of May in the year one thousand seven hundred and ninety-one and that all applications for lands, in consequence thereof, be made to the respective boards, which are, or hereafter may be, appointed by the Governor in any part of the Province, in the usual form of petitions to the Governor-in-Council.

2. That upon the receipt of all such applications the boards investigate the grounds of the pretensions of the petitioners, requiring for that purpose satisfactory proof, by documents, affidavits, or otherwise, carried as high as the nature of the case may admit, to the following points, viz.:

(a) Whether the petitioner as a reduced officer was entitled to and has received any lands under the King's Instructions of 1783.

(b) Whether, and how far, he has improved the same, so as to render him a proper object of the order:

(c) What quantity of lands he has already received, whether on account of his rank or his family or by the additional bounty of 1787, or in any other way whatever, and what further quantity he is entitled to, after deducting the tracts already granted to him, under all or any of the foregoing descriptions, in order to receive, upon the whole, an equal number of acres, with officers of the same rank of the late 84th Regiment.

3. These, and all other points requisite being ascertained, the Boards are to locate the number of acres, to which they shall think the petitioner entitled, as nearly as may be, according to the prayer of his petition, conforming themselves nevertheless to the directions contained in the 8th, 9th, 10th, 11th and 13th articles of the Rules and Regulations of the 17th of Feb'y, and the 2nd, 3rd and all the following articles of the additional Rules and Regulations of the 25th of August last, all of which as far as they regard the Surveyor-General's Office, shall be executed by the acting surveyors of the respective districts under the superintendence and orders of the boards.

4. That as often as any competitions arise by a diversity of applications, or otherwise, for one and the same tract, the boards shall endeavour amicably to adjust the same among the parties interested and, on failure thereof, they shall hear the different competitors, in support of their claims and decide between them, with due impartiality, according to the merits of the case, and where there is no equitable ground of preference to either, the issue shall be determined by lot.

5. That the boards make full and distinct reports upon all the foregoing particulars, annexing copies of the proofs exhibited to them as often as their nature may permit, declaring themselves satisfied therewith, and concluding with a recommendation of the petitioner for a grant of the specific number of acres located by them, to which, under all or any of the considerations aforementioned, and which of them in particular, they shall think him justly entitled.

6. That all such reports be made by the respective boards, at the end of every three months, or oftener to the office of the Governor's Secretary, by the transmission of a fair copy of the minutes of their proceedings, during that period, under the signature of three or more members of the board, together with the petitions reported upon, whether rejected or recommended, subject to the final approbation, disallowance, or order of the Governor-in-Council upon every such case, after the receipt of which approbation or order, the boards are hereby authorized to pledge the faith of government to the respective petitioners for the grants of the tracts therein to be specified, by issuing certificates of occupation to them, under their signature, agreeable to such form as the Governor shall be pleased to direct.

7. The boards are to take due care that a sufficient space of country be always previously laid out for comprehending all locations, which, in their judgment, may probably be ordered, from time to time, under these or any other orders or instructions, in townships contiguous to each other and according to the general rules and regulations in such parts of the respective districts as contain vacant lands of the Crown, the settlement of which shall have been approved of upon their timely representations to the Governor, to whom they are likewise to state all doubts and difficulties which may occur, with their opinion of the proper course for removing them, that there may be no obstruction to the industry, ease and comfort of the loyalists.

His Lordship, taking the said regulations into consideration, was pleased, with the advice of the Council, to approve the same and to order, as it is hereby

ordered, that they be duly and punctually complied with and carried into execution; whereof the different Land Office Boards and all other persons whom it may concern are to take notice, and govern themselves accordingly.

The Clerk of the Council to cause five hundred copies of the above to be printed and to transmit such number to each of the different Land Office Boards, under his signature, as His Excellency the Governor shall be pleased to direct.

Whereas there were this day read at the board the following reports:

To His Excellency the Right Honourable Guy, Lord Dorchester, etc.

Report of the Land Committee (Mr. Finlay, Mr. Collins, Mr. Grant and Mr. De Lanaudiere) on the reference of a letter from Mr. Rankin, an acting surveyor, to Mr. Collins, Deputy Surveyor-General, with his answer concerning lands located on the south bank of the Ottawa River.

May it please Your Lordship:

Mr. Motz, in his letter of the 3d of this month, communicated to us Your Excellency's pleasure relative to a letter from Mr. Rankin to Mr. Collins, together with his answer (both annexed) respecting certain locations stated to have been made by Mr. Rankin on the Ottawa River, in conformity to certificates of the Land Board at Montreal, which locations, as Mr. Collins sets forth, comprehended tracts intended to have been assigned by him as Deputy Surveyor-General to other persons entitled to lands in that part of the country, by special orders of the Governor-in-Council; and directing us further to report to Your Lordship the proper course for preventing the confusion apprehended by Mr. Deputy Surveyor-General and for gratifying the reasonable expectations of individuals that may have been excited by the proceedings of the Deputy Surveyor-General, or Acting Surveyor on considering them as manifestations of the intentions of government in their behalf and also to report on the means of preventing the like embarrassments in future.

In obedience to Your Excellency's commands we have considered the letters referred to us and we have heard Mr. Collins on the matter therein contained, and after deliberation had thereon, we beg leave humbly to report that if the Acting Surveyor had attended to the instructions of the 4th June last, issued to him from the Surveyor-General's Office (and approved by Your Lordship) by returning into that office (as was commanded him) a protraction of his work as soon as it should be finished, the tracts assigned in that part of the country, by Your Excellency's special Orders-in-Council, would have been set off on the plan previous to its transmission for the guidance of the Land Office Board, and all parties would have been satisfied. It does not, however, appear to us that confusion will arise from Mr. Rankin's having located the lands on the south side of the Ottawa River, but we apprehend that those persons who petitioned in Quebec and obtained Your Lordship's Orders-in-Council for grants of lands to be made to them on the south side of the Ottawa will probably be dissatisfied on finding that certificates granted by the Land Office Board at Montreal near twelve months after the Orders-in-Council were issued, have had the preference, and have covered the lands they had prayed for. The Committee beg leave here to observe that the board at Montreal unapprized by the Surveyor-General's Office that Your Excellency's orders had issued in council for grants of lands to be made to individuals in the tract in question, proceeded as directed by the 4th Article of the Rules and Regulations of the 17th of February last for the Conduct of the Land Office Department. The communications ordered to be made by the Clerk of the Council to the board of the district where the Governor-in-Council shall have ordered lands to be granted after the 25th of Aug't last will prevent in future similar difficulties.

The Committee humbly submit, whether the reasonable expectations of the first petitioners, founded on the orders issued from the Council Office to the Surveyor-General's Office, may not be gratified by grants of front lots or lots bounded by the river in new townships which may be laid out on the south bank of the Ottawa, above the mouth of the River Rideau, and likewise on the north side of the Ottawa? And further, whether if the land boards were to be instructed not to grant certificates of location in any township in their respective districts before they are possessed of a plan thereof duly certified from the Surveyor-General's Office, it might not be a means of preventing the like embarrassments in future?

All which is nevertheless with the greatest deference humbly submitted to Your Lordship's wisdom.

HUGH FINLAY, in the Chair.

Quebec, 11th Dec'r, 1789.

Letter from Mr. James Rankin to Mr. Collins, D.S.G.

Montreal, Nov'r 15th, 1789.

Sir: I returned a few days ago from the Grand River; with the badness of the weather and my exposed situation I caught a bad cold which caused me to return without finishing my work; my room is every day crowded with orders for land from the board, which has been complied with, until all the land (commencing at the Third Township, S.S. Grand River) is granted in front, except reserved lots for the Crown; and all the north side commencing at the Fourth Township.

You will oblige me much in sending me a draft of a township with the reserv'd lots marked thereon, likewise the vacant lots in the first and second Township s. side, and the first, second and third on the north side; as soon as possible you shall receive an account of the proceeding of. Sir, Your most obedient and most humble Servant. JAMES RANKIN, D.P.S.
Honourable John Collins, Esq'r,
D.S.G., Quebec.

Mr. Collins's answer to the foregoing letter:

Surveyor-General's Office,

Quebec, 26th Nov'r, 1788.

Sir: I received your favour of the 15th instant and am truly sorry for your ill-state of health but hope as it proceeded from a cold that a little care will soon restore your health. I observe you mention your having given by orders from the board all the lands on the south side the Ottawa River from the Third Township upwards and all the lands on the north side the s'd river from the Fourth Township upwards except those reserved for the Crown. By your instructions from this office approved by His Excellency Lord Dorchester, you are directed to make a particular survey and report the same accompanied with a plan to this office which must be first done before you can assign a lot to any person; how is it possible you can know the orders I have received from His Excellency the Governor-in-Council respecting the disposal of those lands until you receive them from this office. Sir John Johnson, in behalf of several of his friends and many other gentlemen, hath received the Governor's orders for a

considerable quantity of land in that part and I am directed to report the survey which cannot be done until you enable me to do it, by sending down your plan and report which I have long expected from your Letter of 3rd Sept'r which says you had nearly completed your survey. From the tenure of your letter of the 15th, I greatly fear that what you therein mention will occasion great confusion. In a former letter I requested you to let me have your account properly vouched that it might be brought into the last half year's accounts. If it does not arrive in time it will not come before the Committee until next April. I am with regard, Sir, Your most obed't Servant. JOHN COLLINS, D.S.G.
Mr. J. Rankin, D.S.G.

To His Excellency The Right Honourable Guy, Lord Dorchester, etc.

Report of a Committee of the whole Council on the reference of a report of the Land Committee relating to locations on the south bank of the Outawa River.

My Lord: The Committee being assembled this day (consisting of the Chief Justice with Messrs. Finlay, Harrison, Collins, Delery, Pownall, Caldwell, Grant, Baby and Dupré) the Deputy Surveyor-General submitted to their inspection the map of the late survey by Mr. Rankin whom they also admitted for further explanation.

And after deliberating upon the report of the Land Committee, this Committee conceive it may be most prudent to suspend the ultimate decision upon the repugnant expectations of certain petitioners and those who may have obtained occupation certificates for the same lands, under authority of the Land Board of Montreal, until an opportunity given for apprizing the said land board of the whole matter and they shall have made report thereon, with their opinion of the best manner of affording satisfaction to such parties as are discontented with the occupation certificates, if any such there are.

And for that purpose the Committee humbly recommend that the Clerk of the Council transmit a copy of the said report and of this report to the said Land Board; and request their own report into the office of Your Lordship's Secretary without delay.

All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

WM. SMITH, Chairman.

Quebec, 13th January, 1790.

His Lordship taking the said reports into consideration was pleased, with the advice of the Council, to approve of what is proposed in the foregoing report of the Committee of the whole Council to be done and to order, as it is hereby ordered, that the same be duly and punctually complied with and carried into execution; whereof the Land Office Board at Montreal and all other persons, whom it may concern, are to take notice and govern themselves accordingly.

The Clerk of the Council to forward a transcript of the above under his signature to the Land Office Board at Montreal without delay.

Ordered also by His Lordship, with the advice of the Council, that Arthur Davidson, Esquire, be a member of the Land Board for the District of Montreal, in the room of Will'm Dummer Powell, Esquire.

Whereas there were this day read at the Board the following reports:

To His Excellency The Right Honourable Guy, Lord Dorchester, etc.,—
The Committee appointed to consider the applications for grants of the waste lands of the Crown beg leave humbly to report to Your Lordship that at

a meeting on Friday, the 21st of this month, Present: Mr. Finlay, in the Chair; Mr. Collins, Mr. Grant and Mr. De Lanaudiere, was read a letter from Mr. Secretary Motz to Mr. Finlay dated the 12th instant, in the words following:

I have His Excellency Lord Dorchester's commands to transmit a letter from the Land Office Board for the District of Mecklenburg dated the 23rd of September, with the reports of their transactions between the 17th of June and the 9th of September and to signify His Lordship's desire that the Committee examine the same and report to His Lordship how far these proceedings are conformable to the Rules and Regulations for the Conduct of the Land Office Department of the 17th of February and 25th of August last, and what communications they may think advisable to be made to the board together with such a schedule of the certificates issued by the board agreeable to the powers vested in them, as it may be expedient to insert in the Council minutes for the security of the settlers, and likewise their opinion upon those cases which are sent by the board for the decision of the Governor-in-Council.

His Lordship further desires the Committee will make enquiry of the Surveyor-General's Office respecting that part of Mr. Cartwright's letter which states a want of plans and knowledge of locations heretofore made in certain parts of the District of Mecklenburg, and that they ascertain and report to His Lordship how far the directions contained in the Fifteenth Article of the Rules and Regulations for the Conduct of the Land Office Department of the 17th of February last have been carried into execution, together with their opinion of the proper course for remedying the evil complained of, if it still exists in any part of the Province.

And in obedience to Your Excellency's commands so signified to this Committee, we proceeded to read the letter from the Land Office Board of Mecklenburg and to examine the reports of their transactions which were transmitted to us therewith.

The Committee beg leave to express their wish that the reports from the Land Boards hereafter to be transmitted to the office of the Governor's Secretary at the end of every three months may state the transactions of each separate meeting, together with the petitions of that period and extracts from the certificates granted thereon to be filed in the Council Office, as directed by the III and V Articles of the Rules and Regulations of the 17th of February last for the Conduct of the Land Office Department, as all grants of the Crown proceed upon the supposition of its grace having been craved by the subject, and the operation of the Laws of Forfeitures, &c., may not apply without that evidence.

The paper marked A which was referred to this Committee indorsed "Report from the Board of Mecklenburg on the Petitions for Lands from reduced Officers, from the 17th of June to the 9th of Sept'r, 1789," was first examined and it appears to the Committee from that report and from the petitions therein referred (which accompanied it) as likewise from information had of the Deputy Surveyor-General that the greatest number of those whose names are inserted therein are reduced officers who, by Your Lordship's Order-in-Council of the 22nd of October, 1788, are entitled to an additional grant of as much of the waste land of the Crown as shall put them on a footing in point of quantity with the Officers of the 84th Regiment, provided it shall appear that they have made the improvements required, as on that condition alone can they be benefited by that order. The Committee have made out a schedule containing the names of those reduced officers, mentioned in the report from the Land Board of Mecklenburg and they have marked it number 1; and have annexed it to this report.

Other petitioners claiming a right to be put on the same footing with the Officers of the 84th, as set forth in that report, are Quarter-Master Mathew Dies, Lieut. Allen McLean, late of the 29th Reg't; George Magin of the Indian Department; Samuel Thomson, late Indian Storekeeper at Niagara, and Commissary John Ferguson; none of whom are entitled to the lands they pray for, under Your Lordship's Order-in-Council of the 22nd of October, 1788. Because by the King's Instructions relative to the Officers of the 84th Reg't persons of their description are not entitled to any lands more than other loyalists, excepting Quarter Master Dies under His Majesty's Instructions of 1783.

The Committee therefore cannot recommend any of them for grants in addition to the lands they have already received excepting Samuel Thompson who has been considered by the Board of Mecklenburg as entitled to the additional bounty of 200 acres.

The paper now marked B and headed "List of Petitions from Old Settlers for family lands, and the additional bounty under the instructions of the 2nd of June, 1787, presented to and examined by the board for the District of Mecklenburg from the 17th June to the 9th of Sept'r, 1789" was next considered by the Committee, who presume that the Board of Mecklenburg, following the directions laid down in the VII Article of the Rules and Regulations for the Conduct of the Land Office Department have been fully satisfied of the justice of their claims; they have annexed to this report the Schedule No. 2, with the names of those who have obtained certificate from the board, and the number of acres allowed to each; the place of location is not inserted in the schedule.

The Committee next examined the paper or report now marked C, intitled "A list of Petitions from persons who having never borne Commissions claim locations of lands as Officers, or as rewards for services beyond the power of the Board to grant, presented between the 17th June and the 9th Sept'r, 1789," and having considered the petitions addressed to Your Lordship, which were transmitted with the list and referred to the Land Committee, they humbly observe on the claim of Alexander Chisholm that he does not seem entitled to be put on the footing of a Captain of the 84th which he prays. The Deputy Surveyor-General does not recollect to have seen an order from Lieut.-Governor Hamilton to grant Mr. Chisholm a captain's allowance of land as is stated in his petition. Mr. Collins informs the Committee that this petitioner received Lot No. 3 in the first Concession and Lot No. 3 in the 2d Concession of Camden which, together with 200 acres granted by the Board at Mecklenburg, make 600 acres.

And on the claims of James Smith, Martin Frileigh and John Farrier, the Committee are led to consider them as meriting consideration from the remarks made on the petitioners by the Board at Mecklenburg as men of tried loyalty; they therefore humbly offer their opinion that Alexander Chisholm, James Smith, Martin Frileigh and John Farrier may obtain over and above the bounty granted by the Board at Mecklenburg, an additional quantity to make in all 700 acres to each.

In this list it is likewise stated that Samuel Sherwood never had an officer's commission, altho' he received lands as a subaltern. The Deputy Surveyor-General observed that Mr. Sherwood without further claim than that of a mere settler, counting the number of persons in his family and including the additional bounty, has not received more land than he is entitled to. The report of the board considered the Committee cannot recommend Mr. Sherwood for an addition to the quantity of land he now possesses.

The Committee are of opinion that the prayer of Joseph Anderson (stated likewise in this list) for Wapoos' Island ought not to be granted. Wapoos, an old Chief of the Mississaga tribe, has long had his residence on that Island with his family, as the Committee have been credibly informed.

The Committee next took up the paper (marked D) headed "List of Persons from the American States and elsewhere, admitted by the Board of the District of Mecklenburg from the 17th June to the 9th of September, 1789, to become Settlers and receive 200 acres of land under the description of persons of good character."

By this list it appears that twenty settlers have been admitted and for want of due proof of the allegations in favour of their admittance four persons have been rejected.

The Committee have only to observe on this list that as the persons therein mentioned have been admitted under the directions contained in the IVth Art. of the Rules and Regulations of the 17th Feby. for the Conduct of the Land Office Board, it is their opinion that the petitions preferred to the board and addressed to His Excellency the Governor ought to have been transmitted to be filed in the Council Office.

They have annexed to this report a schedule marked 3, containing the names of those petitioners who have been admitted and who have received certificates for lots of 200 acres as persons of good character; no place of location is mentioned by the Land Board of Mecklenburg.

The paper marked E was next taken under consideration by the Committee. It is ordered, "Surveyor's return of lands granted in Mecklenburg, under authority of the Board to the 23rd of September, 1789," signed by "Alexander Aitkin, Deputy Surveyor." It contains the names of 97 persons to whom the board have granted certificates of location between the 1st of October, 1788, and the 23d of September last. The Committee have annexed a copy of that return under the title of Schedule No. 4.

The Land Board of Mecklenburg in their letter of the 23rd of September to Mr. Secretary Motz observe on the return made by Mr. Aitkin, the survey'r, in the following words:

It falls far short of what we have given certificates for, which is partly owing to a total want of plans of several townships and a very imperfect knowledge of the lands granted by the Surveyor-General's Office in others. Of Marysburg, Ameliasburg and Sophiasburg, the surveyor has no plans at all; nor has he ever been informed what lands have been given away by the Deputy Surveyor-General in the year 1787 in Kingston, Ernest-Town, Fredericksburg and Adolphustown. In those seven townships, therefore, he can give no certificates of location and many of the petitioners rather choose to wait until the difficulties respecting them can be removed than take their lands elsewhere.

On considering this representation from the Land Board of Mecklenburg, the Committee had recourse to the Deputy Surveyor-General for information touching this charge against the Surveyor-General's Office; and for answer thereto the Deputy Surveyor-General (Mr. Collins) stated, to the Committee that all the land in front of the Township of Marysburg was granted long since to discharged troops, to Germans and to some loyalists; that the settlers in that township had received their family lands at the backs of the lots they had first drawn, with a promise that the King's bounty of 200 acres to every grantee should be given adjoining his family lands, which (as Mr. Collins informs the Committee) takes up every lot in Marysburg, as he believes. The Deputy Surveyor-General further stated that the whole of the land in the front of the

Townships of Ameliasburg and Sophiasburg have been drawn by the settlers of the Townships of Fredericksburg and Adolphustown for their family lands, with a like promise that the King's bounty should be assigned to each settler, to join his family lands; and he observed that those bounty lands would all have been granted in the year 1787 as promised, had he not been prevented from putting those people in possession, by reason of his having been detained until late in fall of that year, at the head of the Bay of Quinté, to assist Sir John Johnson in the purchase of the Indian lands from the Missisagas; and he further stated, that to prevent the discontentments and confusion that must necessarily have followed if he had sent up the plans in question, he considered it to be his duty to keep them back until the people to whom promises had been given were satisfied. He apprehends that when those promises are fulfilled there will be but a small quantity of land left to be disposed of in any of the townships above mentioned.

The Deputy Surveyor-General begs it may be noted that immediately on the appointment of the Land Boards, he transmitted to Mr. Aitkin, the Deputy Surveyor of Mecklenburg, plans of five new townships which had been laid out in 1787 where, as Mr. Aitkin informed Mr. Collins, the whole of the newcomers wished to make settlement.

The Committee are humbly of opinion that the plans of the townships mentioned to be wanting by the Land Office Board of Mecklenburg should be transmitted with all convenient speed to the Deputy Surveyor of that district, together with the information given by the Deputy Surveyor-General relative to them, and that it should be recommended to the board to pay attention to the claims alluded to by Mr. Collins, as far as may be consistent with the General Instructions.

The Committee beg leave to observe that they find in some instances persons who drew lots which they considered afterward as unprofitable have thrown them up and applied for other locations in lieu of them; and as abuses may arise from such practice, unless guarded against by the boards, the Committee conceive that circumspection ought to be used in admitting claims so founded.

On the case of David Conger, a settler in the Township of Sydney, mentioned in the Report B of the Board of Mecklenburg, who is therein stated to have had from the Deputy Surveyor-General 200 acres of land more than he is entitled to, Mr. Collins informs the Committee that Conger's family consisted of a wife and seven children when he applied for lands and that he received no more than 400 acres, so that he is entitled to 200 acres in addition to the quantity he actually possesses which the Committee recommend may be granted to him. The board at Mecklenburg were not, it would seem, informed of these particulars touching Conger's situation.

In the letter from the Land Board of Mecklenburg of the 23rd of September, already mentioned in this report, it is stated that it would greatly tend to promote the purposes of their appointment to grant to young men grown up (and getting families since the forming of the new settlements) the same quantity of land that is given to persons of good character desirous of becoming settlers. The Committee have to observe on this remark of the board that Your Excellency has anticipated that judicious proposal, by Your Lordship's Order-in-Council of the 9th of this month, which must give the highest satisfaction to every loyalist in the new settlements as it will reflect honour on the posterity of that meritorious set of men.

It is further stated by the Mecklenburg Land Board that an opinion prevails in the upper districts among the disbanded non-commissioned officers and

soldiers, that privates are entitled to 200 acres and the others to 400 acres in order to be on a footing with persons of a like description that were of the 84th Regiment; but the board have uniformly rejected every application so founded; and further, that they have likewise rejected all applications that have been made for an addition of 50 acres on account of children born after the first grant of family lands. The Committee are of opinion that the Land Board was right in rejecting all such applications and to put a stop as well to the unwarranted claims of the disbanded non-commissioned officers and privates, as to future applications for 50 acres for every child born in a family, after the grant for family lands has been obtained, the Land Boards would do well publicly to let the settlers know their mistake respecting either claim.

This Committee further conceive that the board acted according to the spirit of Your Lordship's instructions in directing 100 acres to be added to the first lots to settlers of 100 acres each and that they did well early to check the improper transfer of locations which, by the forms of the certificates of occupancy which Your Lordship has directed the Land Boards to grant, is effectually remedied.

And in due obedience to that part of the reference which commands this Committee to report to Your Lordship how far the directions, contained in the XV Article of the Rules and Regulations for the Conduct of the Land Office Department of the 17th of February last, have been carried into execution, the Committee enquired of the Deputy Surveyor-General whether schedules had been framed in the Surveyor-General's Office of all lots granted under certificates throughout the Province; specifying the petitioner's names, the quantum of the location, the place where and the date; and whether copies thereof have been lodged in the office of the Governor's Secretary, in the office of the Clerk of the Council, and a copy sent to each of the Land Boards in the different parts of the Province. On which Mr. Collins, the Deputy Surveyor-General, produced a complete schedule of lots granted under certificates in the following townships: Lancaster, Charlottenburg, Cornwall, Oznabruck, Williamsburg, Matilda, Edwardsburg, Augusta, Pittsburg, Elizabethtown, Kingston, Ernestown, Frederickstown, Adolphustown, Sydney, Camden, Richmond and Thurlow.

And Mr. Collins further informed the Committee that two copies of the same schedule are in great forwardness and that the whole number of copies required by the Rules and Regulations for the Conduct of the Land Office Department will be finished without loss of time to be sent to the different Land Boards throughout the Province.

The Committee beg leave to close this report with their humble opinion, that for the security of the settlers who have obtained certificates from the Board of Mecklenburg for lots of land agreeable to the powers vested in them, it may be expedient that the return from the surveyor of the District of Mecklenburg of lands granted between the 1st of October, 1788, and the 23rd of September last, annexed to this report and marked Schedule No. 4, be inserted on the Council minutes, seeing it contains the name of every person who thought fit to follow up the course necessary for obtaining possession of the portion of land assigned to him. The Committee presume that those persons who have kept back their certificates have not as yet fixed on locations to their liking.

All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY.

Quebec, 25th Nov'r, 1789.

SCHEDULES REFERRED TO IN THE FOREGOING REPORT
SCHEDULE No. 1

Names of reduced officers of Provincial corps who apply'd between the 17th of June and the 9th of September, 1789, to the Land Board of Mecklenburg, by petitions addressed to His Excellency The Right Honourable Lord Dorchester for the same allowance of the waste lands of the Crown as had been granted to the Officers of similar rank in the late 84th Regiment in conformity to His Lordship's Order-in-Council of the 22nd of October, 1788; which petitions, together with the Reports from the Land Board of Mecklenburg, were referred to the Committee of Council for considering applications made for Crown Lands, who have given their observations thereon in the foregoing Report, viz.: 2nd Battalion Royal Regiment of New York: Captain James McDonell, Captain George Singleton, Lieutenant Hazleton Spencer, Lieutenant Oliver Church, Lieutenant John Howard, Lieutenant Henry Young, Lieutenant William McKay, Ensign William Crawford, ditto for his father Captain Crawford, and Ensign John Thomson.

The King's Rangers: Major James Rogers*, Captain John Walter Myer, Lieutenant Henry Simmon*, Lieutenant James Robins, Lieutenant James Parot, Ensign John Peters, and Ensign Richard Ferguson.

Those names marked thus * are inserted in the Return from the Surveyor of Mecklenburg with the quantity of land granted to each. (See Schedule No. 4.)

SCHEDULE No. 2

List of old settlers who applied to the Land Board of Mecklenburg for family lands, and His Majesty's additional bounty, to whom certificates have been granted, between the 17th of June and 9th of September, 1789.

Names of the Applicants	Number of Acres Granted	Township Where the Applicant Resides
Henry Davis.....	200	Marysburg.
*Michael Smith.....	200	Fredericksburg.
Moses Foster.....	350	"
James McTaggart.....	450	"
Collin McKinzie.....	600	No township named.
Peter Bartholemeus.....	200	"
*Josua Booth.....	200	Ernesttown.
Ebenezer Washburn.....	200	"
Henry Gardiner.....	350	"
*Christopher Frileigh.....	100	"
*Henry Finckle.....	200	"
James Rogers, Junior.....	200	No place mentioned.
David Rogers.....	200	"
*Stephen Boyce.....	200	Ernesttown.
*John Conkler.....	200	"
*Peter McDougall.....	300	"
Amos Rambourg.....	300	Fredericksburg.
*John Foster.....	200	
*Peter Thomas.....	200	Ernesttown.
*Barnabas Hough.....	300	"
*John German.....	200	Adolphustown.
*Joseph Franklin.....	200	Carleton Island.
*Joseph Franklin, Junior.....	200	Pitsburg.
*John Franklin.....	100	Kingstown.
Martin Stover.....	200	Ernesttown.
Christian Abrahams.....	200	"
Abraham Snyder.....	200	"
Jonas Amie.....	200	"

Names of the applicants.	Number of Acres Granted.	Township Where the Applicant Resides.
Gilbert Storms.....	400	Ernesttown.
Lewis Hicks.....	500	"
Simon Snyder.....	200	"
*Jacob Hesse.....	200	"
*Philip Hartman.....	200	"
Simon T. Cole.....	350	Adolphustown.
*Peter Frileigh.....	100	No place mentioned.
Charles Swan.....	200	Kingston.
John Richards.....	200	No place mentioned.
Augustus Spencer.....	200	"
*David Hartman.....	300	Ernesttown.
*Robert Perry.....	400	"
*Daniel Walker.....	200	"
*William Johnson.....	200	Thurloe.
Russel Putman.....	150	No place mentioned.
David Hawley.....	300	Ernesttown.
Conrade Van Dusen.....	200	Adolphustown.

The names in this schedule preceded by this mark * are inserted in the Return made by the Surveyor of Mecklenburg, with the quantity of land granted, together with the place of location. (See Schedule No. 4.)

SCHEDULE NO. 3

List of the names of persons from the American states and elsewhere who have been admitted by the Land Office Board for the District of Mecklenburg, between the 17th of June and the 9th of September, 1789, to become settlers under the description of persons of good character, and who have received certificates for land from that Board.

The names of the townships where the lands lie have not been returned by the Board of Mecklenburg.

Names	Number of Acres Granted	Names	Number of Acres Granted
*Robert Young.....	200	Nicholas Demarie.....	200
*Jacob Fritz.....	200	*James Demarie.....	200
*John McMichael.....	200	*James Henessey.....	200
*Jacob Smith.....	200	William Snyder.....	200
Peter DeSydney Conger.....	200	Philip Hunt.....	200
*John Havens.....	200	David Conger, Junior.....	200
Angel Hurff.....	200	*Richard Bushell.....	200
William Villa.....	200	Oliver Foster.....	200
John Snyder.....	200	*Solomon Paddock.....	200
*William Walker.....	200	*William Hanna.....	200
Peter Frederick.....	200	Alexander Stuart.....	200

The names in No. 3 schedule preceded by the mark * are inserted in the Return made by the Surveyor of Mecklenburg, with the quantity of land granted each person. (See Schedule No. 4.)

SCHEDULE NO. 4

List of lands granted by authority of the Board for the District of Mecklenburg, between the 1st day of October, 1788, and the 23rd day of September, 1789, inclusive.

To Whom Granted	Date of the Certificate of Location	No. of Lot	No. of Acres	Conces- sion	Township
1788					
Nicholas Nylliar.....	1st October	1/2 7	100	1	1st below Pits- burg.
Stephen Brown.....	" "	1/2 8	100	1	"
Peter Rasbue.....	8th "	1/2 17	100	1	"
John Hantz.....	" "	1/2 19	100	1	"
John McAfee.....	" "	1/2 21	100	1	"
Richard Smith.....	" "	1/2 21	100	1	"
Abraham Smith.....	" "	1/2 19	100	1	"
Samuel Smith.....	" "	1/2 22	100	1	"
Robert Wright.....	" "	1/2 22	100	1	"
Thomas Smith.....	" "	1/2 23	100	1	"
Benjamin Attwood.....	" "	1/2 23	100	1	"
Alexander Laughlin.....	" "	1/2 17	100	2	Ernesttown.
Mathew Longwell.....	18th "	1/2 24	100	1	1st below Pits- burg.
John Longwell.....	" "	1/2 24	100	1	"
Eleaser Yedman.....	" "	1/2 15	100	1	"
Thomas More.....	10th November	1/2 7	100	2	Pitsburg.
Godfrey Leode.....	17th "	1/2 3	100	1	1st below Pits- burg.
Richard Lewis.....	" "	1/2 14	100	1	"
William Lewis.....	" "	1/2 14	100	1	"
Richard and William Graham	10th December	16	200	1	"
Gilbert Purdy and Rulof Os- torum.....	1789 19th January	18	200	2	Sydney.
Francis Kine.....	21st "	1/2 37	100	1	"
Tobias Cole.....	" "	1/2 37	100	1	"
Peter Bradt.....	26th "	1/2 14	100	1	Richmond.
Philip Swick.....	" "	1/2 29	100	1	"
John and William Huff.....	25th February	16	200	2	"
Abraham and Solomon Huff..	" "	15	200	2	"
William Reid.....	28th "	1/2 4	100	4	Thurlow.
Abraham Willsee.....	" "	1/2 5	100	4	"
John Reid.....	" "	1/2 6	100	4	"
John Johnson.....	4th March	1/2 5	100	4	"
James Johnson.....	" "	1/2 4	100	4	"
Elias and Joseph Clapp.....	" "	12	200	2	Richmond.
Isaac Arnold.....	5th "	1/2 13	100	2	"
Samuel Williams.....	13th "	1/2 6	100	4	Thurlow.
Benjamin Spencer.....	16th "	1/2 18	100	2	Richmond.
Henry Spencer.....	" "	1/2 18	100	2	"
Conradt Fredericks.....	" "	1/2 3	100	4	Thurlow.
Samuel Duree.....	" "	1/2 3	100	4	"
Garrot Vanhorn.....	" "	1/2 2	100	4	"
Benjamin Clapp.....	18th "	1/2 2	100	4	"
John Wood.....	" "	1/2 1	100	4	"
*James Demarree.....	19th "	1/2 7	100	4	"
William Foster.....	24th "	1/2 7	100	4	"
Benjamin Wenney.....	26th "	1/2 9	100	2	Richmond.
Mathias Marsh.....	16th May	1/2 5	100	1	Sydney.
John Vanderlop.....	" "	5	200	2	"
Jacob Frileigh.....	18th June	6	200	2	"
*Michael Smith.....	" "	20	200	2	"
*Jacob Smith.....	" "	21	200	2	"
*Jacob Fritz.....	" "	12	200	2	"
*John McMichael.....	" "	21	200	1	Thurlow.
*John Havens.....	27th "	2	200	5	"
*Joshuah Booth.....	" "	3	200	5	"
Nicholas Lake.....	30th "	19	200	2	Sydney.
Richard Smith.....	" "	1	200	5	Thurlow.
Arthur Yeoman.....	1st July	7	200	2	"
*Henry Finkle.....	" "	16	200	3	Sydney.
*Robert Young.....	" "	4	200	3	Thurlow.
David Yeoman.....	" "	8	200	2	"

To Whom Granted	Date of the Certificate of Location	No. of Lot	No. of Acres	Concession	Township
Ensign Timothy Thompson, .	2nd July	8	200	1	Joining No. 1 Sophiasburg, Little Lake.
*Peter McDougal.....	17th "	5 and $\frac{1}{2}$ 6	300	3	Thurlow.
*Stephen Boice.....	" "	5	200	5	"
*John Conklin.....	" "	4	200	5	"
*Peter Thomas.....	" "	6	200	5	"
*John Foster.....	" "	17	200	3	Richmond.
John Ferguson and Captain Lipscomb.....	25th "	33	200	3	Sydney.
*Philip Hartman.....	29th "	23	200	3	"
*John German, Senior.....	" "	34	200	3	"
*Jacob Hesse.....	" "	22	200	3	"
*James Hennesy.....	" "	19	200	3	"
*Barnabas Hough.....	" "	20 and $\frac{1}{2}$ 21	300	3	"
John Ferguson.....	25th "	.....	100	1	Joining Lot No.1 upon the east side of the River Cataracoui. Pittsburg.
*Joseph Franklin, Senior.....	29th "	9	200	3	"
*Joseph Franklin, Junior.....	" "	11	200	3	"
*John Franklin.....	" "	$\frac{1}{2}$ 9	100	4	"
*Captain John Walter Myers.....	12th August	11	200	3	Sydney.
*David Hartman.....	" "	24 and $\frac{1}{2}$ 25	300	3	"
James Smith.....	" "	3	200	2	"
*Peter Friligh.....	26th "	$\frac{1}{2}$ 35	100	3	"
*Solomon Paddock.....	" "	32	200	3	"
*Christopher Frileigh.....	" "	$\frac{1}{2}$ 35	100	3	"
Martin Frileigh.....	" "	36	200	3	"
*William Johnson.....	" "	10	200	3	Thurlow.
*William Hannah.....	" "	11	200	3	"
Davis Hawley.....	" "	26 and $\frac{1}{2}$ 27	300	1	Camden.
*Robert Perry.....	" "	16 and 17	400	2	"
*William Walker.....	" "	28	200	1	"
*Daniel Walker.....	" "	29	200	1	"
*Richard Bushell.....	17th September	4	200	4	Pittsburg.
*Ensign William Crawford.....	" "	26	200	5	Fredericksburg.
*Lieutenant James Robins.....	8th "	14	200	3	Pittsburg.
David Babcock.....	23rd "	20	200	3	Richmond.
Jochim Clocker.....	" "	19	200	3	"
Samuel Galloway.....	" "	21	200	3	"
Jacob Smith.....	" "	18	250	4	Sydney.
To ".....	" "	$\frac{1}{4}$ 13			

ALEXANDER AITKIN, Dy. P.S'r.

Kingston, 23rd September, 1789.

The person whose name in schedule No. 4 is preceded by this mark * is inserted in one or other of the preceding schedules as having obtained certificate from the Land Board of Mecklenburg of his being entitled to the number of acres set down after his name.

At a meeting of the Committee of the whole Council on Wednesday, 13th January, 1790, there were present: The Chief Justice, Messrs. Finlay, Delery, Grant, Harrison, Pownall, Baby, Collins, Caldwell, Dupré.

Read the Order of Reference of the 24th December, 1789, and a report of the Land Committee on a letter from the Land Office Board for Mecklenburg dated the 23rd Sept'r, 1789, accompanied with reports from that Board with the

Deputy Surveyor's return of lands granted in that district between the 1st October, 1788, and 23d September, 1789, which had been referred to the Committee.

Resolved, that it is the opinion of this Committee:

First, that a copy of the report of the Land Committee should be sent to the Land Board of Mecklenburg for their information and guidance, with information nevertheless that the transmissions with their quarterly reports of copies or extracts of the certificates of occupation granted by the board, agreeable to the 5th Article of the Rules and Regulations of the 17th February last may be dispensed with, since the list directed to be sent by the same article, expressing the petitioners' names and the dates of the certificates with the quantum and place of the location, will convey every necessary information, considering that all certificates of occupation are to be issued agreeable to a certain prescribed form.

Second, that this Committee concur agreeable to the recommendation of the Land Committee, that such additional quantity of acres be granted to Alexander Chisholm, James Smith, Martin Frileigh and John Farrier, respectively, as will put them upon the whole in possession of seven hundred acres each, including the allotments already made to them, and that the said Land Board be directed to ascertain and report the specific quantities which they shall find due under this report with the proposed places of location; that if the same shall be finally approved of by the Governor and Council, the board may thereupon be authorized to pledge the faith of government to them respectively, by issuing proper certificates of occupation, and

Third, that a copy of this report be also transmitted to the said Land Board of Mecklenburg.

WM. SMITH, Chairman

13th Jan'ry, 1790.

His Lordship taking the said reports into consideration was pleased, with the advice of the Council, to approve of the foregoing resolves of the Committee of the whole Council, and to order as it is hereby ordered that the same be duly and punctually complied with and carried into execution, whereof the Land Office Board for the District of Mecklenburg and all other persons, whom it may concern, are to take notice and govern themselves accordingly.

The Clerk of the Council to forward a transcript of the above under his signature, to the Land Office Board for the District of Mecklenburg, without delay.

His Lordship communicated to the Council the following letter from Mr. Collins, Deputy Surveyor-General, viz.:

My Lord: In obedience to the 15th Article of Your Lordship's Order-in-Council the 17th February, 1789, for the conduct of the Land Office Department, I have the honour to lay before Your Excellency the copy of a schedule, with an alphabetical list of the several townships in the Districts of Luneburg and Mecklenburg, shewing at one view all the lots under certificates, with the proprietor's name and situation of his lot, agreeable to the plans and reports made by the deputy surveyors employed on that service which is humbly submitted to Your Lordship's wisdom.

JOHN COLLINS, D.S.G.

Quebec, 20th January, 1790.

Ordered by His Lordship, that the inclosures of the said letter be subjected to the inspection of the Land Committee and that they report their observations upon the execution of the work, transmitting their report to the office of His Lordship's Secretary with all diligence.

At a Council holden at Quebec, on Monday, the 22nd of February, 1790.
Present: His Excellency Lord Dorchester, Governor; The Honourable William Smith, Esquire, Chief Justice, and The Honourable Hugh Finlay, George Pownall, Edward Harrison, Henry Caldwell, John Collins, Adam Mabane, William Grant, J. G. C. Delery, Le C'te Dupré, Esquires.

Whereas there was this day read at the board the following report of the Land Committee, on His Excellency's reference of sundry petitions for lands, with other papers transmitted from the Land Board of Montreal, to the office of the Governor's Secretary.

In obedience to Your Lordship's commands to us signified by a letter from Mr. Secretary Motz of the 11th of this month, addressed to Mr. Finlay as President of this Committee, we have examined the papers therewith transmitted. And first we took up eighteen petitions for lands which Mr. Chew, a member of the Land Office Board at Montreal, states in his letter to Mr. Motz of the 28th of last August, "the board do not think themselves empowered to grant without His Lordship's approbation" and having considered them, we conceive it to be within the sphere of the trust committed to the Land Office Boards by the II Article of the Rules and Regulations of the 17th of February last, to issue certificates for grants of the waste lands of the Crown, lying within their respective districts not only to all His Majesty's good and faithful subjects, but to all others worthy of being admitted as such. We therefore humbly submit, whether those petitions may not be return'd to the board at Montreal, together with two more under the same description sent to Mr. Motz by Mr. Chew on the 14th of November, that certificates may be granted to such of the petitioners as shall be able to satisfy the board of the safety and propriety of admitting them to become inhabitants of this Province, unless it may appear to Your Excellency more regular to order them to be transmitted to the Land Board of Luneburg (the district in which the lands prayed for are situated) excepting the petition from Major James Hughes who applies for 2,000 acres on the River Chateauguay in the District of Montreal.

We next examined eighty-three petitions upon which certificates have been issued by the Montreal Board, as Mr. Chew states in the above-mentioned letter to Mr. Motz of the 14th Novem'r, but by the minute which accompanied by the petitions, signed by Lt.-Col. Harris, Mr. Powell and Mr. Pastorius, three of the members of the board, we find only seventy-one of that number reported; the remaining twelve petitions (of which a list is annexed to this report) appear in an alphabetical list of the eighty-three petitions, sent by Mr. Chew to Mr. Motz, unsigned; that paper is headed Abstract of petitions that have been received by the board at Montreal, and certificates granted for lands to the petitioners. We are therefore of opinion that they do not carry with them regular evidence of the sanction of the board for a record or document for the security of the persons who have obtained certificates as prescribed by the III, IV and V Articles of the Rules and Regulations already cited and we humbly submit (seeing certificates are stated to have been issued on those petitions) whether they ought not to be sent back to the board at Montreal, to be returned to the office of the Governor's Secretary in the manner directed in the V Article of the Regulations for the Conduct of the Land Office Boards, notwithstanding the lands prayed for are situated in the District of Luneburg.

The Committee further humbly submit whether to prevent uneasiness to those persons who have on petition obtain'd locations on the Ottawa River and who consider the faith of Government to be pledged to them by the proceedings of the Land Office Board at Montreal, it may not be advisable for Your Excel-

lency in Council to confirm the certificates of location already issued by the Montreal Board, and to order the Clerk of the Council immediately to notify to the Land Board of Lunenburg Your Lordship's determination therein; and we beg leave to suggest that perhaps it might be proper that the Surveyor-General's Office transmit immediately to the board at Lunenburg, a return of all the locations that have been granted in that district under certificate from the board at Montreal, to prevent disputes that would undoubtedly arise, were certificates to be issued in Lunenburg for lots already located by authority from the Montreal Board.

All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 22nd of January, 1790.

List of petitioners at Montreal for lands on the Ottawa River, who, in an alphabetical list, transmitted to the office of the Governor's Secretary by Mr. Chew, are stated to have obtained certificates of location referred to in the foregoing report.

Nicholas Bloomes, No. 7; John Bradley, No. 8; Lewis Bright, No. 9; John Cumming, No. 16; Peter Carpenter, No. 17; Adam Dogstrader, No. 21; Martin John, No. 34; George Killimere, No. 39; Melchir Kayser, No. 40; John Schaum, No. 73; John Tiring, No. 74; William Wallace, No. 82.

HUGH FINLAY.

His Lordship taking the said report and the petitions and papers therein mentioned into consideration was pleased, with the advice of the Council, to order, as it is hereby ordered, that all the petitions and papers above referred to be returned to the Land Office Board at Montreal, with instructions to transmit to the Land Office Board for the District of Lunenburg all such petitions as are for lands, situated in that district with full information of the proceedings had thereon. And the boards at Lunenburg are to proceed upon all such petitions agreeable to their general instructions, taking into consideration the proceedings of the board at Montreal, and the importance of preventing uneasiness to those persons who may consider the faith of government pledged to them by certificates derived under the authority of that board. And the Surveyor-General's Office is to deliver to the Clerk of the Council such list of locations as the report of the Land Committee refers to, to the end that it may accompany the other papers to be transmitted as above directed. And if a diversity of claims shall arise for one and the same spot, the boards are to hear the parties concerned and adjust their pretensions in the most equitable manner and in cases of doubt and difficulty to report the same for the determination of the Governor and Council. Whereof the said Land Office Boards and all persons concerned are to take notice and govern themselves accordingly.

His Lordship expressing his opinion of the utility of furnishing the Council Chamber with a general map of the Province and separate maps, on a larger scale, of the several districts into which it is divided, shewing the parishes, seignories and their concessions, in the Districts of Quebec and Montreal, and the townships, grants and tracts held under occupation certificates throughout the Province.

It is accordingly ordered by His Lordship, with the advice of the board, that the Surveyor-General's Office proceed to the execution of this work without delay, and that a duplicate of the general map be also prepared for transmission to the office of His Majesty's Secretary of State.

The destination of each map to be inscribed thereon, as well as the names of the persons by whom the original surveys were made, distinguishing the parts done by each and at what time.

The scale of the general map to be six miles to an inch and the scale of the maps of the several districts two miles to an inch.

And to facilitate the design with the greater accuracy and dispatch it is committed to Messrs. Finlay, Harrison, De Lery, Grant and Baby as soon as may be to make report to His Lordship of a list of the parishes and of all the seigneuries and grants they respectively comprehend, specifying the dates of the creation of the parishes, as well as the dates of the seignories and grants. That for this purpose they send for persons, papers and records and that they take course for calling in the assistance of the seigniors, clergy and officers of the militia, for such information as their case may require, and for returns from every parish of the names of all males therein of the age of sixteen years and upwards, discriminating those under nineteen years from such as are above that age, and also distinguishing of what seignories or grants they are stated inhabitants.

The surveys, journals and field books of Messrs. Pennoyer and Rankin, Deputy Provincial Surveyors, are referred by His Lordship to the inspection and report of the Land Committee.

Read a report of the Land Committee of the 19th inst. respecting the corrected schedules of grants of lands in the new districts.

His Lordship expresses his desire to mark the distribution of the waste lands of the Crown with such accuracy as may enable the Government to make the intended grants in the easiest and cheapest manner to all, to whom the public faith may be pledged, and thereby to prevent disputes and law suits, which might otherwise arise among the settlers to their own and the public detriment.

Ordered that the said report be referred to a Committee of the whole Council for their opinion and and report of the proper steps for fulfilling His Lordship's design.

Read the following report of the Land Committee on the petition of the Reverend Mr. Doty for 2,000 acres of land.

To His Excellency The Right Honourable Guy, Lord Dorchester, etc.,—
In obedience to Your Excellency's commands we have considered the petition of the Rev'd Mr. Doty, late Chaplain to the First Battalion of the Royal Regiment of New York, praying for two thousand acres of land in the Second Township above Elizabethtown, comprehending the Lots No. 20 to 24, inclusive, with the corresponding lots immediately behind them which he states to be vacant.

We humbly beg leave to observe to Your Lordship that in our report of the 18th of June last it is set forth that the Committee, in conformity to His Majesty's Instruction of the 7th of August, 1783, to His Excellency General Haldimand, have considered chaplains of Provincial Corps to be entitled to 500 acres of the waste lands of the Crown, exclusive of fifty acres for each person of which his family may consist. The Reverend Mr. Stuart received a warrant for no more than 500 acres as chaplain to the Second Battalion of the Royal Regiment of New York. On Mr. Doty's receiving a warrant of survey for a like quantity together with 50 acres for every person of which his family consists (and for which we humbly recommend him) he will be on a footing with Mr. Stuart.

The Committee do not find that the Chaplain of the 84th Reg't (supposing Mr. Stuart and Mr. Doty to be on a footing with him) would have been entitled to any lands, seeing that neither Staff nor Warrant Officers of that regiment are mentioned in His Majesty's 41st Instruction to Your Lordship, which fixes the

quantum of acres to be allowed to field officers to captains,, subalterns, non-commissioned officers and privates only.

All which is nevertheless humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 12th Febr., 1790.

Col. Caldwell dissents from the foregoing report and desires his reasons may be annexed to it, in the following words: Mr. Caldwell objects to the above report, for tho' by the King's Instructions, Mr. Doty is intituled as chaplain in common with the other subalterns of the regiment, to 500 acres only, yet as those subalterns by the opinion of the Governor-in-Council, are put on a footing with the subalterns of His Majesty's late 84th Regiment, he is of opinion that Mr. Doty is equally entitled to the same quantity of land as the subalterns of his Corps.

HUGH FINLAY, in the chair.

Tuesday, the 2nd of March, 1790.

At a Council holden at the Castle of Saint Lewis in the City of Quebec—

Present: His Excellency Lord Dorchester, Governor and The Honourable Hugh Finlay, George Pownall, Thomas Dunn, Henry Caldwell, Edward Harrison, John Collins, François Baby, J. G. C. Delery, Le Comte Dupré, Esquires.

Whereas there were this day read at the board the following report of the Land Committee, viz.:

To His Excellency The Right Honourable Guy, Lord Dorchester, etc.,—The report of the Land Committee. Present: Messrs. Finlay, Collins, Caldwell, Grant and De Lanaudiere, on the corrected schedules of grants of land in the new districts.

May it please Your Lordship: In obedience to Your Excellency's Order-in-Council of the 20th of January last, subjecting to the inspection of this Committee the schedules of grants of land made in certain townships in the new districts westward of Montreal, as corrected by the Surveyor-General's Office, and requiring of us to report our observations upon the execution of the work. We humbly beg leave to inform Your Lordship that we have compared the corrected schedule of grants made in the Township of Lancaster in the District of Lunenburg with the plan of that township whereon the concessions are protracted, the lots in each concession laid down and numbered, with the names of the grantees wrote upon the respective lots; and we find that that schedule corresponds with the plan, shewing the names of the grantees, the township in which their grants are situated, the number of the concessions in which they have drawn, with the numbers of the lots they possess.

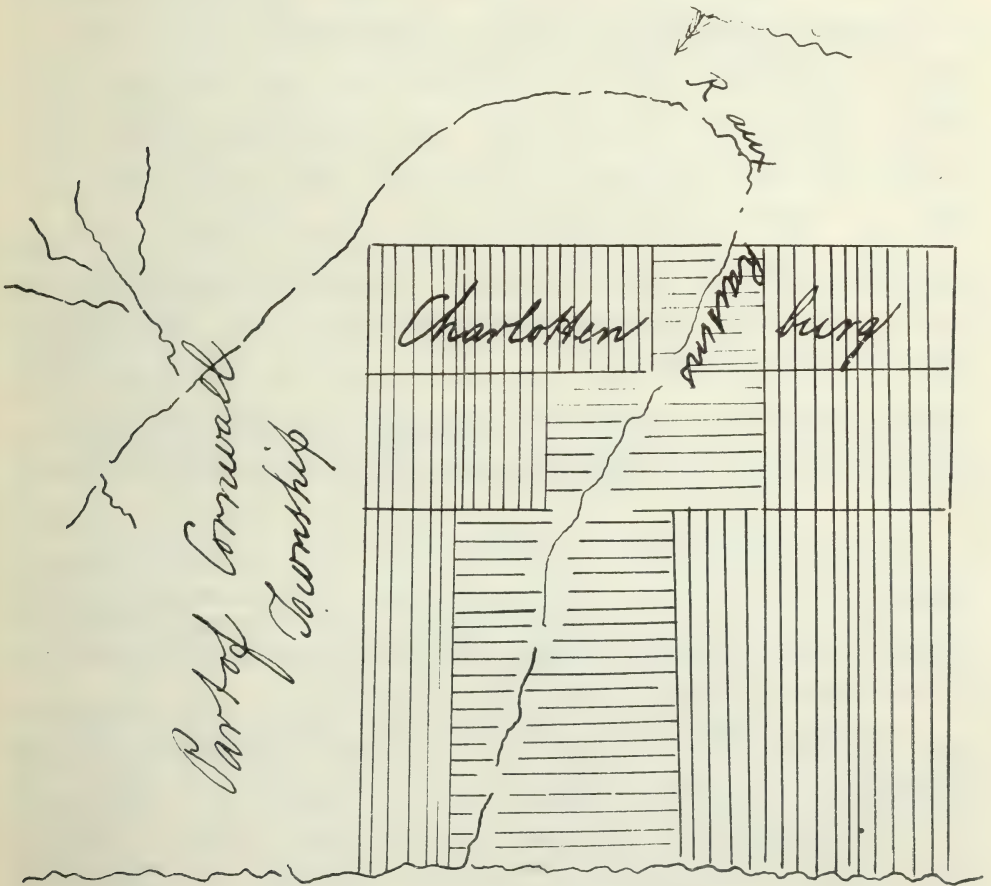
On examining the plan of the adjoining township (Charlottenburg) we found it difficult to discriminate the concessions or ranges of lots upon the plan, by their numbers. The confusion that appears on the face of the plan or survey has arisen by a deviation on the part of the Deputy Surveyor from the plan originally projected for laying out the seigneuries in the new districts, at this day better known by the name of townships.

The first project as the Committee have understood from the Deputy Surveyor-General was to have the townships laid out into eight, ten, twelve or more ranges of lots called concessions, according to the depth of the township, the concessions were to run parallel to each other; the ranges to contain a certain number of lots of 200 acres each, the front of every lot to run parallel to the front of the township.

The Township of Charlottenburgh lies on the River St. Lawrence and fronting it; through that township there runs a considerable stream called Rivière aux Raisins.

The Deputy Surveyor, who was employed to divide the concessions in Charlottenburgh into lots, deviated from the original plan and instead of making all the fronts of the lots lie parallel with the front of the township, he gave fronts upon the north side and fronts upon the south side of the Rivière aux Raisins, in such manner (as appears by the plan) that some of the lots will contain more than 200 acres, whilst other lots (owing to the bends in the river) will not contain perhaps one-third of that quantity.

That the effect of this deviation from the original plan may more clearly appear and the confusion thence arising be better understood, the Committee humbly submit a diagram (on page 101) descriptive of the manner in which the lots in Charlottenburgh have been laid out to Your Lordship's inspection.



From this deviation the Committee apprehend that difficulties and disputes may in time arise between the grantees of the concessions fronting the River St. Lawrence and the grantees in the concessions that have their fronts on the Rivière aux Raisins, each grantee conceiving that a lot is to contain not less

than 200 acres. Were some of the lots upon the Rivière aux Raisins to be extended to contain 200 acres, they would intersect the lots lying immediately behind them that front in a parallel with the front of that township.

Part of this stream runs through the next township called Cornwall.

The Committee humbly conceive that in order to prevent disputes between the settlers whose lots front the River St. Lawrence and those who have the Rivière aux Raisins for their front, in the Townships of Charlottenburg, Cornwall and elsewhere, it may be advisable to give intimation through the Land Office Boards of the district to the grantees upon the Rivière aux Raisins, that the depth of their lots is bounded by the nearest concession behind them. When it shall be found that any such lot is short of 200 acres, the deficiency may be made good by grant in some other part of the township, or in any part of the district where waste lands may be found.

The Committee do not perceive that to proceed here on the further comparison of the schedules with the plans of the townships would be attended with any advantage, presuming that from that part of the work that has been corrected by the Surveyor-General's Office, and which the Committee examined, the rest is equally correct. It is not in Quebec where errors in the plans can be corrected; all that can be done in this place is to see whether the schedules which are taken from the plans correspond with them in shewing the grantee's name, the number of the lot, the name of the township, where situated and in what concession there, and this the Deputy Surveyor-General has certified to be accurately done. The Committee, therefore, humbly submit whether it might not be advisable forthwith to transmit the plans and schedules which have been subjected to the inspection of this Committee, to the respective Land Office Boards, as there alone the plans from which the schedules have been composed can be corrected and made perfect if any error has been made in entering a wrong name on any lot or lots in any township, and the Committee likewise humbly submit whether directions ought not to be given to the boards to transmit from time to time to the Surveyor-General's Office a note of all errors they may find upon the plans, in order that the general plan lodged here may be corrected thereby.

The Committee observed on examining the index to the schedule of grants made in Charlottenburg, that under the letter "M," John McDonell appears to possess 2,400 acres of land, and on enquiry of the Deputy Surveyor-General it was found that that quantity does not belong to one but to many John McDonnells but for want of some mark of distinction upon the plan those John McDonnells have been considered as one and the same person.

To correct this and such like inaccuracies, the Committee humbly conceive that it may be expedient to order the Deputy Surveyor of the district to advertise the grantees of that name to produce to him their certificates of location, and from each learn the name or epithet by which he is distinguished from another John McDonell among his countrymen and let that name be added to the name already entered on his lot or lots upon the plan; the same will be done upon the schedule from which the alphabetical list or index may easily be corrected.

The Entry in the Index appears thus:

When corrected it will stand thus:

M					M				
	Lot	Acre	Situation	Total of Acres		Lot	Acre	Situation	Total Granted
McDonell, John	1/2 15	100	In 1st Con.	.....	McDonell, John	A 1/2 15	100	In 1st Con.	.....
	1/2 20	100	" 2d "	.....		C 1/2 20	100	" 2d "	A
	1/2 12	100	" 2d "	.....		B 1/2 12	100	" 2d "	500
	1/2 20	100	S. side R. aux Raisins	.....		B 1/2 20	100	S. side R. aux Raisins	.....
	1/2 55	100	N. side "	.....		A 1/2 55	100	N. side "	.....
	1/2 12	100	S. " "	.....		C 1/2 12	100	S. " "	B
	1/2 14	100	" " "	.....		C 1/2 14	100	" " "	200
	1/2 9	100	" " "	.....		A 1/2 9	100	" " "	.....
	1/2 14	100	" " "	.....		D 1/2 14	100	" " "	.....
	19	200	In 11 Con.	.....		A 19	200	In 11 Con.	C, 500
	1/2 16	100	" 12 "	.....		E 1/2 16	100	" 12 "	.....
	28	200	" 13 "	.....		E 28	200	" 13 "	.....
	26	200	" 14 "	.....		C 26	200	" 14 "	D
	9	200	" 14 "	.....		D 9	200	" 14 "	500
	9	200	" 16 "	.....		D 9	200	" 16 "	.....
	4	200	" 16 "	.....		E 4	200	" 16 "	.....
	32	200	" 17 "	.....		E 32	200	" 17 "	E, 700
		2,400							2,400

All of which is nevertheless most humbly submitted to Your Lordship's great wisdom.

Quebec, 19th Feb'y, 1790.

HUGH FINLAY, in the Chair.

And the following report thereon by a Committee of the whole Council:—

May it please Your Lordship: The Committee being assembled in obedience to Your Lordship's order of reference of yesterday and having considered the same with the report therein mentioned are humbly of opinion:

That the Land Boards of the several districts being in the best circumstances, and under the strongest motives to make discovery throughout their respective districts how far Your Lordship's benevolent intentions will be practicable under the occupation certificates already issued, especially when they shall be furnished with the schedules that are come in from the Surveyor-General's Office, and with the remarks made by the Land Committee upon such parts of the said schedules as they have hitherto had time to scrutinize;

The Committee therefore advise that a copy of the schedules with the report of the Land Committee, the order of reference and this report be forthwith transmitted by the Clerk of the Council to the Land Boards of the Districts of Lunenburg and Mecklenburg, the better to apprise them of the utility of their immediate attention to these concerns by their early communication of the result of their researches and examinations, with their opinion of the best means to correct any errors that may have happened that the government may be enabled to secure to individuals the benefits intended them, and promote the general tranquillity and prosperity of the settlements in the western districts.

All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

Quebec, 23d February, 1790.

WM. SMITH, Chairman.

His Lordship taking the said reports into consideration was pleased, with the advice of the Council to approve thereof, and to order, as it is hereby ordered, that the same be punctually complied with and carried into execution.

And His Lordship is further pleased to order that the same communications which are hereby directed to be made to the Land Boards of the Districts of Lunenburg and Mecklenburg shall be made to every board in the Province, excepting the copies of the schedules of location, which it may suffice to transmit to the boards of those districts only, to which they respectively appertain.

Ordered that all petitions of reduced officers for lands under the order of the 22d October, 1788, lodged in the Council Office, upon which no orders have yet been issued, be transmitted to the respective boards of the districts, in which the lands prayed for are situated; and that a list of such petitions be published for the information of all persons concerned.

Monday, 12th April, 1790.

At the Council Chamber in the Castle of St. Lewis.

Present: His Excellency The Right Honourable Lord Dorchester, Governor, The Honourable William Smith, Esq'r., Chief Justice, and The Honourable Hugh Finlay, Henry Caldwell, Thomas Dunn, William Grant, Edward Harrison, Francis Baby, John Collins, Joseph De Longueuil, Adam Mabane, Charles De Lanaudiere, J. G. C. De Lery, René Amable de Boucherville, George Pownall, Picotté De Belestre, Le C'te Dupré, Esquires.

Whereas there was this day read at the board the following report of the Land Committee:

To His Excellency the Right Honourable Guy, Lord Dorchester, etc. May it please Your Excellency: In obedience to Your Lordship's commands, we have considered the matters set forth in Lieutenant-Colonel Gray's letter of the fifth of August last, relative to certain abuses in the settlement of New Johnstown in Cornwall, in the District of Lunenburg, and thereon we humbly report:

That by Mr. Duncan's answer to a letter which this Committee wrote to him as Chairman of the Land Office Board of Lunenburg (which answer is entered on the journal of our proceedings hereunto annexed) it appears Col. Gray has had satisfaction at law for the trespass of Mr. Empy, of whom he had complained.

Respecting the evils to be apprehended from the monopoly of lots in New Johnstown, the Committee are humbly of opinion that the deviations from the original plan, recommended by the Land Office Board of Lunenburg, as stated in the aforementioned letter, would tend greatly to the speedy settlement of the town, for, as it is conceived that the present lots are too small and that the streets which run crossways from corner to corner are of no use, and that the squares contained in each town plot reserved for yard-room behind the lots, would but serve to lay a foundation for future contention among neighbours, it is proposed by the Land Board:

I. That the present town plots of six acres, one rod and twenty perches be divided into six equal parts, containing one acre and ten perches each.

II. That all persons who have at present more or less land in their possession in Johnstown than this quantity shall be reduced or augmented according to that standard, with a reserve, that the improvements shall be paid for before any possessions are relinquished. And this Committee are further of opinion that to invest the Lunenburg Land Office Board with power to examine into all

disputed titles and other matters of controversy relative to Johnstown and report their doings thereon to Your Lordship with all convenient speed would put an end to existing disputes and would prevent contests hereafter; and the better to enable the board to perform that business, the Committee humbly conceive a plan of the town on a large scale will be necessary.

All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 26th Feby, 1790.

JOURNAL

At the weekly meeting of the Land Committee on Friday, 25th September, 1789.

Present: Mr. Finlay, in the Chair; Messrs. Collins, Grant and De Lanaudiere.

Read a letter from Lieut.-Col. James Gray of Cornwall, in the District of Lunenburg, dated the 5th of August, and referred to this Committee by His Excellency Lord Dorchester the 17th of that month, to report thereon with all convenient speed.

The letter sets forth that a person of the name of Empey had taken possession of his (Col. Gray's) lots in the Town of Johnstown under pretence of their being part of two acres which His Lordship the Governor-General had permitted him (Empey) to set apart for a burying ground.

The letter states further that as there has not been any particular person appointed to see the regulations respecting the town put in force, the lots have been monopolized by people who have no just claim to them and large inclosures have been made in divers parts of the town without any regard to the streets laid down on the plan.

The Committee questioned Mr. Collins, the Deputy Surveyor-General, upon the matters stated in Lt.-Col Gray's letter; he could not from memory say anything relative to Johnstown, but proposed to look into his papers and inform the Committee at their next meeting of the result of his search.

At the weekly meeting Friday, 2nd Octo'r, 1789.

Present: Messrs. Finlay, Collins, Holland and De Lanaudiere. Mr. Collins informed the Committee that he had found nothing among his papers relative to the distribution of the lots in the Town of Johnstown but that he learnt from Mr. Coffin, Assistant Secretary to Lord Dorchester, who recollects that upon application of some German inhabitants of Johnstown, His Lordship said he had no objection to their having a vacant lot to serve as a burying ground.

Major Holland informed the Committee that, as far as he can recollect, the lots were given out on condition of clearing within twelve months after they were measured off to the persons applying for the same; that they were to be granted to tradesmen in preference to other applicants; and that to clear was to secure a right without any further condition.

Whereupon the Committee directed the chairman to write to the members of the Land Office Board in the District of Lunenburg inclosing a copy of Lt.-Col. Gray's letter, and to request information from that board to enable this Committee to report to Lord Dorchester a state of matters relative to the Town of Johnstown.

Friday, 19th Febr'y, 1790.

At a weekly meeting of the Land Committee.

Present: Mr. Finlay, in the Chair; Messrs. Caldwell and Grant. The Chairman laid before the Committee a letter from Richard Duncan, Esq'r., Chairman of the Land Office Board for the District of Lunenburg, dated the 24th of November and received yesterday, in answer to a letter written by direction of this Committee the 2nd of October last upon the representation of Lt.-C. James Gray, relative to the affairs of the Township of Johnstown and referred to this Committee by His Lordship; the letter is in the words following:

Williamsburg, 24th November, 1789.

Sir: I was favor'd with your letters a few days ago together with a copy of Col. Gray's, in answer to which I must beg leave to observe that the evil complained of with respect to himself originated from a dispute that happened between him and one Empey, in consequence of the said Empey having committed a trespass, by burying two children on a town lot belonging to Col. Gray, under pretence of a sanction obtained from Lord Dorchester, for that particular spot being appropriated for the purpose of a burying ground; and since then, this same affair has been investigated in our Court of Common Pleas, and a verdict found with damages in favour of Col. Gray.

With respect to the animosity said to subsist among the inhabitants against the officers, through the influence of Mr. McNiff, or any other person, I am a stranger to it; and should conceive that the magistrates of the district have in their own hands the power of repelling any attempts to interrupt the public tranquillity, as well as the means of punishing the offenders.

With respect to the difficulties in which New Johnstown is involved, I suppose they have originated from the following causes, viz.: There having been no certificates granted to the original settlers or proprietors, nor no plan or arrangement since taken place, to put things on a proper footing, this has occasioned a monopoly in some instances, and of usurped possessions in others, to remedy which and all other evils that at present exist in New Johnstown the board humbly beg leave to subjoin a few remarks which they conceive is all that is necessary at present, if, however, any other information may be wanted in their power to give, on notice thereof, they will be happy to comply with your wishes. I have the honour in the meantime to remain with much regard, Sir, Your most respectful humble Serv't, RICHARD DUNCAN, Chairman.

Mr. Finlay.

REMARKS ON NEW JOHNSTOWN

1st. That certificates for town lots should be granted to every proprietor according to the new model.

2nd. That the Surveyor-General be directed to order Mr. McNiff to return to the surveyor of this district, a certain map of New Johnstown at present in his possession, wherein is marked the original proprietors' names and that Mr. McNiff may also be instructed to send at the same time his own remarks and explanations relative to this map.

3rd. That the present town plots in New Johnstown consists of 6 acres, 1 rod and 20 perches. They are also subdivided into 24 parts, with a reserve in the

centre of 1 acre, 2 rods and 12 perches; that the original distribution of the lots was 5 to a field officer, 3 to a captain, 2 to a subaltern and 1 to a noncommissioned officer and private.

That the following deviations from the original plan is humbly submitted to the consideration of the Committee:

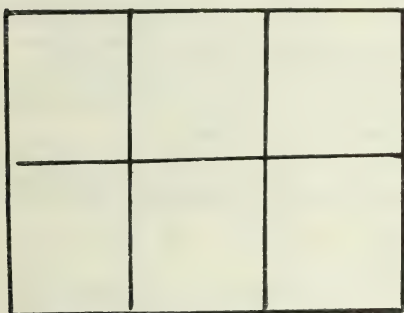
1st. That the present plots as above described be now subdivided into six equal parts, containing 1 acre and 10 perches each.

2nd. That all persons who have at present more or less land in possession than this quantity shall be reduced or augmented, according to that standard, with a reserve that improvements shall be paid for, before any possessions are relinquished.

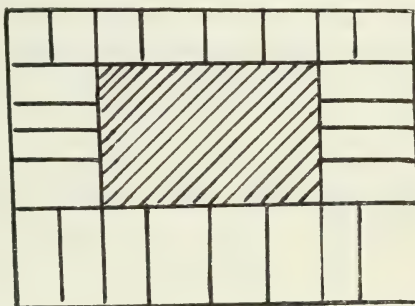
3rd. That it is conceived the present lots are upon too small a scale, that the oblique streets are of no use and that the squares contained in each town plot would only tend to lay the foundation for future contention among neighbours.

That if it should be thought necessary to make a new arrangement of the town, it may be expedient to invest the board with power to examine into the merits of all disputed titles and other controversial matters, relative to the town, to be furnished with a map for this purpose, upon a large scale, and to make a report of their proceedings to the Governor-in-Council. One plot of the old and another of the new proposed plan is hereunto subjoined, with a reference to Mr. Chewit for further explanation and particulars.

RICHARD DUNCAN, Chairman.



New plot



old plot

The Committee being referred to Mr. Chewit, Deputy Surveyor of the District of Lunenburg, at present in Quebec, the Chairman was directed to desire Mr. Chewit to attend the board next Friday at 10 o'clock.

Friday, 26th February, 1790.

At the weekly meeting; present: Messrs. Finlay, Collins and Caldwell. Mr. Chewit attended the board and having read Mr. Duncan's letter, he laid before the Committee the original plan of Johnstown, pointing out the inconveniences attending it, as stated in Mr. Duncan's letter.

The Committee do not find that certificates of location have been issued to the settlers in Johnstown. It appears by the plan exhibited by Mr. Chewit that large tracts are fenced round in the heart of the town and the streets are included in those inclosures.

Joel Stone has about 40 acres; Jacob Rambourg, 9 acres; Mr. T. Swan, 12 acres; Rev'd Mr. Brian, 3 acres; Mrs. Bruce, 12 acres; Messrs. McDonells, 12 acres; Jos. and the heirs of Dan Robertson, 5 acres. Lt.-Colo. Gray has part of Point Maligne originally intended for a common for the use of the town. He claims of that point 40 acres.

Taken from the Minutes.

HUGH FINLAY, in the Chair.

His Lordship, taking the said report into consideration, was pleased, with the advice of the Council, to order, as it is hereby ordered, that the Land Office Board for the District of Lunenburg cause the town plot of the said Town of Cornwall, formerly New Johnstown, to be laid out and subdivided in the manner suggested by the board and recommended by the Land Committee and, as nearly as may be, according to the tenor of the Additional Rules and Regulations for the Conduct of the Land Office Department of the 25th of August, 1789, granting certificates of occupation therein for town lots of one acre, more or less, to all such as they may find entitled thereto, and who may now claim or possess therein less than that quantity, making full investigation into the grounds of all claims and pretensions to more than the said quantity of one acre, and reporting thereon for the decision of the Governor-in-Council. And the Surveyor-General's Office is to take course for furnishing the board with a map of the said town for that purpose, upon a large scale, as also with the map stated to be in the possession of Mr. McNiff whereon are marked the names of the original proprietors, with his own remarks and explanations, if the same can be had. Of which all persons concerned are to take notice and govern themselves accordingly.

Ordered by His Lordship, with the advice of the Council, that Malcolm McMartin, Esq'r., be a member of the Land Office Board for the District of Lunenburg.

Monday, 17th May, 1790.

At the Castle of Saint Lewis.

Present: His Excellency The Right Honourable Lord Dorchester, Governor; The Honourable William Smith, Esq'r, Chief Justice, and The Honourable Hugh Finlay, George Pownall, Thomas Dunn, Henry Caldwell, Edward Harrison, William Grant, John Collins, Francis Baby, Adam Mabane, Chas. De Lanaudiere, J. G. C. Delery, Le C'te Dupré, Esquires.

His Lordship was pleased to take into consideration a proposal from the Surveyor-General's Office of surveys to be made in the course of the ensuing summer, a journal or report of the Land Committee thereon, and an estimate of the expense for carrying the services recommended by the Land Committee into execution.

Ordered by His Lordship with the advice of the Council.

1. That a Deputy Surveyor and ten men be employed to trace a highway from the Township of Cornwall in the District of Lunenburg to Kingston in the District of Mecklenburg.

2. That the Land Board of Lunenburg employ the Deputy Surveyor of their district with ten men for ascertaining the quantities of land in the Township of Lancaster under double certificates to loyalists of that township, and the emigrants from Scotland, marking the line of division between them, and satisfying the latter out of the waste lands of the Crown on the northern side of their present locations, at such time as may best fall in with their geneal arrangement of the summer's business of their district.

3. That the Land Boards of Lunenburg and Mecklenburg concert the proper mode for running the division line between their respective districts as far as the shore of the Ottawa River, jointly by the surveyors of both districts, or either of them, under such instructions and at such time, during the present or the ensuing season, as the general arrangement of the business of their district may admit.

4. That the Land Board of Mecklenburg employ the Deputy Surveyor of their district with ten men to survey and mark the front lines of four townships, one on a lake adjoining the Township of Camden, one on the north of Kingston, and two in the intermediate space between the above-mentioned, and to carry the side lines of each township back one mile, well marked, at such time as may best fall in with their general arrangement of the summer's business of their district.

5. That the Land Board of Nassau employ the surveyor of their district, with ten men to survey and mark the front lines of townships from the eastern boundary of their district to Toronto and to carry the side lines of each township back one mile, well marked, at such time as may best fall in with their general arrangement of the summer's business of their district, and if other more necessary work will admit of it.

And it is hereby further ordered that the Surveyor-General's Office take course to give full and particular instructions to the different Deputy-Surveyors, to be employed in these services, directing them to keep journals as well as field books, minuting whatever is observable for its singularity and value towards the public utility, as water-falls, minerals, quarries, springs, timber, &c., and shewing the disposition of the time they shall be out, premonishing them, that it is expected they will be able to answer questions upon oath, if called upon, and that they will be held responsible for the due execution of their trust.

Ordered also that the different papers first afore-mentioned to be now taken into consideration be put upon the files for future resort thereto, as the case may require.

Read the following report and journal of the Land Committee, viz.:

To His Excellency The Right Honourable Guy, Lord Dorchester, etc.

The annexed journal containing the proceedings of the Land Committee on Your Excellency's reference of two petitions from certain inhabitants of Chaleurs Bay, pretending a right to certain meadows on the banks of the Ristigouche River, which are comprehended in a tract that has been surveyed.

The report of the Land Committee: Messieurs Finlay, Collins, Caldwell, Grant and De Lanaudiere, on the report of the Land Office Board at Montreal, relative to locations made upon the south side of the Outawais River by Mr. Rankin, Deputy Surveyor for the District of Montreal, in conformity to certificates from the board there, referred to this Committee the 27th of February last.

May it please Your Lordship: In obedience to Your Excellency's order of reference, the Committee have duly considered the report of the Land Office Board at Montreal of the 20th of February and are humbly of opinion that the authority of that board does not extend beyond the limits of the District of

Montreal, in which no part of Mr. Rankin's late survey on the Outawais River is comprehended, and that the whole of that survey lies within the District of Lunenburg, from whence only, in compliance with the Rules and Regulations for the Conduct of the Land Office Department, certificates of location can regularly issue; which is nevertheless humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 4th May, 1790.

Ordered by His Excellency with the advice of the Council that a copy of this entry be communicated to the Land Board for the District of Montreal, and another to the Land Board for the District of Lunenburg for their information and guidance.

His Excellency was pleased to take into consideration a petition of Thomas and Terence Smyth, also a petition of Joseph White, transmitted by the Land Board for the District of Lunenburg, both praying for a grant of Grenadier Island.

Ordered by His Excellency with the advice of the Council that the Land Board for the District of Lunenburg be informed that no further grants of islands are to take place for the present, and if the petitioners shall think themselves warranted under any former orders or regulations to bring forward any further applications for grants of land in another part of the district, the board may receive the same and report thereon agreeable to their general instructions.

Mr. Collins from the Surveyor-General's Office produced various maps pursuant to the order of the 22nd of February last; the work being not yet completed.

Ordered by His Lordship with the advice of the Council that the Surveyor-General's Office make a monthly report of the work to the Land Committee and the impediments, if any there are, that attend it, and that the Land Committee make a monthly report thereon to His Lordship.

Wednesday, 21st July, 1790.

Present: His Excellency The Right Honourable Lord Dorchester, Governor, The Honourable William Smith, Exq'r., Chief Justice, and The Honourable Hugh Finlay, George Pownall, Thomas Dunn, Henry Caldwell, Edward Harrison, William Grant, John Collins, Francis Baby, Adam Mabane, J. G. C. Delery and Chas. De Lanaudiere, Esquires.

Read a report of the Land Committee dated the 15th of May last on the case of Messrs. Lorimier, which is referred by His Lordship to a Committee of the whole Council.

Read the report of the Land Committee dated the 23rd of June last, on a letter from the chairman of the Board for Lunenburg, which is referred by His Lordship to a Committee of the whole Council.

Read the report of the Land Committee of the 24th of June last:

Journal and report of the Land Committee (consisting of Messrs. Finlay, Collins, Caldwell, Grant and De Lanaudiere) on the applications for grants of the waste lands of the Crown.

May it please Your Lordship: In obedience to Your Excellency's commands, the Committee, with as much despatch as their other public avocations would permit, have at sundry meetings examined the several memorials, petitions,

letters and papers referred to them, and they humbly crave leave to refer Your Lordship to their journals annexed hereto, stating their opinion on the different matters referred to them by Your Lordship.

All which is nevertheless most humbly submitted to Your Excellency's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 24th June, 1790.

Journal of the Land Committee, Friday, 7th May, 1790, when there were present Messrs. Finlay, Collins, Grant and De Lanaudiere.

Read a memorial from Capt. Malcolm Fraser of the late 84th Regiment, in behalf of himself and certain officers of that corps, setting forth that Mr. McNiff, a Deputy Surveyor, had made a mistake in laying off parcel of the waste lands of the Crown for the petitioners, so that part of Lieut. McDougal's lot falls two acres in front within Mr. Panet's seignior, and praying that a new survey may be ordered to prevent future difficulties and disputes.

The Committee on this memorial observed that, as the boundary lines of Mr. Panet's seignior are known, this matter may be adjusted by the parties without expense to the Crown. An order may be sent from the Surveyor-General's Office to the Deputy Surveyor of the District of Luneburg, or any other sworn surveyor, to lay off as much land for Lieutenant McDougal at the back of his lots as may be wanting of his complement through the mistake made by Mr. McNiff.

Read a letter from the chairman of the Land Office Board of Luneburg, dated the 1st of February last, inclosing petitions from applicants for lands in that district, in greater proportions than the board is authorized to grant under the Rules and Regulations for the Conduct of the Land Office Department.

The petitioners names are Duncan Campbell for 300 acres, Joseph Seily, 400 acres; James Grant, 500 acres; Lemuel Caswell, 200 acres; Mathew Howard, 300 acres, and Francis Thierry, 500 acres.

From the recommendations noted at the foot of each petition by the Board of Luneburg, this Committee humbly think that the prayer of each of the applicants above named may be granted; but the Committee observe that as no place of location is mentioned it must be left to the judgment of the Board of Luneburg, to point out the scites, unless the 14th article of the Rules and Regulations of the 17th of February by which the Committee of Council for reporting on petitions for lands are directed to lay aside all such as contain no specific quantity or location of lands desired, renders it necessary to return them to the Board of Luneburg to be amended and sent back to Quebec in the form prescribed.

Jehiel Herd's petition for 200 acres was next read; his pretensions are founded on his father's loyalty who, as he states, was persecuted on account of his attachment to the British Government, thrown into Esopus jail and there died. If the board give credit to this statement, and the petitioner appears to them to be otherwise worthy, this Committee humbly advise that Herd's petition may be granted.

Ephraim Jones prays for 100 acres, part of a common in the Township of Augusta, contiguous to his improvements there. The Committee are of opinion that no part of a common ought to be granted to an individual, therefore Jones's application should not be complied with.

Oliver Evarts prays for a subaltern's portion of lands, having served last war; but as he does not state the quality in which he served, nor the place where he desires to have lands, and as the Board at Lunenburg has made no remark in his favour, this Committee cannot recommend the prayer of his petition.

Susanna Johns, the widow of Lieut. Solomon Johns, praying for an additional quantity of lands, as many acres as her husband would have been entitled to had he lived. The Deputy Surveyor-General upon this petition informs the Committee that Lieut. Johns was of Major Rogers' Corps, and had received 500 acres as a subaltern, and 280 acres as family lands, and he gives it as his opinion that Mr. Johns (had he lived) would on application have been entitled to receive as much more as he was short of 2,000 acres to put him on a footing with the Lieutenants of the 84th Regiment, seeing he had improved the lots he had already received, Mr. Collins conceiving that it was His Excellency Lord Dorchester's intention by His Order-in-Council to extend the King's bounty to the officers of every American corps that had served last war.

The Committee looked into the order alluded to of the 22d October, 1788, but they do not find that it comprehends any officers but those of Sir John Johnson's Corps and Colonel Butler's, but they are of opinion that if Lieut. Johns would have been entitled to 2,000 on application, the widow and children of that officer should obtain an addition of 1,300 acres, as prayed for. Adjourned until next Friday.

Friday, 14th May, 1790.

Present: Messrs. Finlay, Collins and Caldwell.

Resumed the consideration of the petitions transmitted to His Excellency Lord Dorchester by the Land Office Board at Lunenburg and referred to this Committee by His Lordship.

Benjamin Anderson, late of the Province of New York, sets forth in his petition that being employed by Lt.-Colo. Upham he had raised a number of men to serve in his corps last war, and on his procuring 32 men his reward was to have been a captain's commission in that corps; on its being annexed to the King's Dragoons he was deprived of the benefit he expected; he therefore prays for a captain's proportion of land the same as has been allowed to captains of corps reduced in this Province. Accompanying the petition are papers exhibited as copies of a letter from Major Upham empowering the petitioner to raise men and a certificate that he had raised men for his corps. If the Land Office Board had been satisfied with the petitioner's statement, this Committee think the board would have been justifiable in recommending Benjamin Anderson for a grant of 500 acres. (Mr. Grant joins the Committee.)

The petition of Richard Wilkinson was next read, stating that he has a half of Lot No. 20 in the Second Concession in Charlottenburg, and praying for the other half which had been drawn for by a John Griffin who has absconded. On examining the schedule of locations in that township, the Committee find that John McDonnell, not John Griffin, drew the other half of the Lot No. 20, therefore Richard Wilkinson's petition cannot be granted.

A remark made at the foot of the petition by the Land Office Board of Lunenburg drew the attention of the Committee; it is in these words:

"Many who have obtained certificates of location in Charlottenburg have gone off and others it is supposed have renounced their allegiance to their King by taking a fresh oath to the States."

And the board submits whether an additional instruction may not be sent to the boards, to govern their conduct with respect to such cases.

On full consideration of this matter, the Committee conclude that the certificates of location bearing that those persons who have drawn lots, and have not made improvements thereon within 12 months from the date of the certificate, have no claim upon government for a patent, grant or deed of concession for the same.

Mr. Collins moves to resolve "that it is the opinion of this Committee that all persons who may have absented themselves from the Province for more than 12 months leaving their locations unimproved should by public advertisement have two years allowed them to come in to improve their lands, and make settlement according to the tenor of the certificates they may have obtained, otherwise such lands will revert to the Crown." Debates arose, and the question being put, the voices stood: For the motion, Mr. Collins; against it, Mr. Grant. The chairman's voice decided the question against the motion. Mr. Grant then moved that the certificates of location must give the rule to guide the respective Land Boards, when it appears evident or in proof that the conditions have not been complied with the Land Boards may issue new certificates to other claimants.

Debates, and the question: "Whether the Committee agree to Mr. Grant's motion," being put, Mr. Grant was for it, Mr. Collins against it. Decided in the negative by the voice of the chairman who observed, "That altho' it might be well to give authority to the Land Boards to grant new certificates of location for lands deserted by the first occupants who may have withdrawn to the States, there to remain, yet a general rule to regrant the unimproved lands of absentees might affect persons out of the Province on their lawful affairs, who fully intend to return to settle their lots; he submits therefore whether the proposal from the board at Luneburg, as a matter of great concernment to those who have obtained certificates of location, and who are necessarily absent from the Province, will not come more properly before a Committee of the whole Council by His Excellency's reference, or be settled in Council by His Lordship on this Committee's Report.

Alexander Campbell: The petition of Alexander Campbell was next read. On the face of the petition it would appear that he had been dispossess'd of lands upon Lake St. Francis, and that he had not received any in lieu of them; but the Committee are informed by the certificate at the bottom of the petition that he has had a thousand acres elsewhere. The Land Board at Luneburg report Mr. Campbell as a deserving loyalist, the Committee are therefore of opinion that if the Board have conceived that he merits an extension of the King's bounty in lands it will be requisite that they recommend him for a certain quantity, noting the place of location.

David Peat: David Peat in his petition represents that he met with losses in the States during the late rebellion, in consequence of his loyalty to the King, and stating that he had exhibited certificates to the board at Luneburg but as the board have not made any remark on the petition touching the memorialist's merit, the Committee cannot recommend him for more than a common location, and that only in case the board at Luneburg is satisfied touching his loyalty.

Richard Van Arnem: Richard Van Arnem's petition was next read, stating that his father died an Ensign in Captain McKay's Corps, and he prays for 500 acres of land which he conceives his father was entitled to as a Subaltern who had served in the last war. If the board at Luneburg is satisfied with proofs of what the petitioner advances and of his merit otherwise, the Committee would recommend the prayer of his petition.*

*See O. C. 5 Aug't, 1809 on Pet'n of John Van Arnem page 188 Land Book H.

Mecklenburg: Read a letter from the Land Office Board at Mecklenburg touching certain grounds intended for a naval yard near Kingston.

The chairman was directed to request Capt. Mann to give his attendance at the Council Chamber in the Bishop's Palace on Friday next, as they are on that day to take into their consideration his Report to His Excellency Lord Dorchester, touching works of defence at Point Frederic near Kingston, and they will then pray information from him.

Quinchin: Read a letter from Major James Gray relative to a projected road from Quinchin to Kingston. Mr. Collins observed that in order to be able to report clearly on this reference it will be necessary for the Committee to examine Mr. Penoyer, the Surveyor's plan, Mr. Collins is therefore directed to lay the plan before the Committee next Friday. Adjourned.

The Land Committee met on Friday, 21st May, 1790. Present: Mr. Finlay, in the Chair; Mr. Collins, Mr. Grant, Mr. De Lanaudiere.

Mecklenburg: Took up the consideration of the letter written by the Land Office Board at Mecklenburg on the 8th of February last to the Right Honourable Lord Dorchester, and by His Excellency referred to this Committee on the 24th of March, touching the disposition of certain grounds for a naval yard and works of defence at Point Frederic near Kingston.

The business of the Legislative Council and references more pressing for report so fully occupied the members of this Committee that they could not take up this business sooner.

Captain Mann, commanding the Engineers' Department, attending, the letter referred to this Committee touching works at Point Frederic was read in his presence; it contains observations relative to the ground round Point Frederic near Kingston, in the District of Mecklenburg, as a proper situation for a Navy Yard and lots on which to erect habitations for persons employed there in the Naval Department. The letter was accompanied with two plans of surveys descriptive of the grounds, which were laid before the Commanding Engineer, Capt. Mann, and Mr. Collins, the Deputy Surveyor-General, by the Committee.

Capt. Mann observed that the plan marked No. 3 is a copy of his original survey made at a time when he had no information that any land had been granted so far southward as appears to be the case by the plan No. 2, furnished by the Land Office Board at Mecklenburg, or that lands had been granted in the Township of Pitsburg so near Kingston. A grant made there to Archibald McDonell, Esq., of 700 acres beginning at a point two miles eastward of Cataracoui River interferes very essentially with the plan of reservations for the Crown, though not so much as a grant that has been made to Mr. Cartwright lying within 1,200 yards of the point.

If the works should not reach Mr. Cartwright's tract, they will nevertheless approach it so near as may be of future inconvenience to Government, in the opinion of Capt. Mann; and he further observed that the grant made to Mr. McDonell materially reduces the land intended for the purposes of furnishing timber and firewood.

The Committee observe on the information given by Captain Mann, that as the faith of Government has been pledged to Mr. Cartwright and to Mr. McDonell (as appears by the letter referred to this Committee), if any part of the lands so granted or located shall be found necessary for completing the intended arrangements at Point Frederic, it will be requisite to obtain a cession from the present possessors.

The Committee agree with the Land Office Board of Mecklenburg touching the proper scite of the lots destined for the accommodation of the naval officers, and that to render them convenient they may be enlarged to half an acre at least, seeing the area marked C upon the plan No. 2 may be extended as Capt. Mann has recommended towards Mr. Carteret's boundary but not towards the dock-yard; and the Committee are fully of opinion with the Commanding Engineer that no private building should be suffered between the area set apart for building lots for the officers employed about the navy yard and the battery intended to be erected on Point Frederic; the propriety of which arrangements will more fully appear by having a reference to the plans No. 2 and 3 already mentioned and now ordered to be annexed to these minutes.

Road from Quinchin to the Long Sault: The Committee next proceeded to consider Col. James Gray's letter dated the 29th day of November, referred to this Committee, relative to a high road from Quinchin to the Long Sault in the District of Lunenburg.

Mr. Pennoyer's survey was laid upon the table by Mr. Collins, the Deputy Surveyor-General, by which it appears that between the River Bodet and Quinchin there lies a very extensive swamp, and it further appears by Mr. Surveyor Penoyer's Field Book, produced by Mr. Collins, that a line had been run in as straight a course as the nature of the country would permit, extending from the line which separates Mr. De Longueuil's seigniory from Lancaster to the Ottawais River, at a place ten miles above Quinchin and found the distance to be 24 miles through cedar and spruce swamps in low, sunken ground.

Mr. Gray in his letter states that there is no other way for an advantageous communication but by opening one in a straight course from the River Bodet to Quinchin, but allowing that a dry ridge may be found leading through that direction (which is, however, supposed not to exist), that tract being all under French grants, the Committee knew of no legal mode to compel Canadian land holders to open any roads but such as are for their immediate use and benefit, therefore unless the new settlers in Lancaster, in Charlottenburg and in Cornwall, who are to be benefited by that road, will undertake to open it and keep it in repair until it shall be settled under grants from the seigneurs to whom the land belongs, they must remain without the road prayed for unless it may please Government to be at the expense of opening the projected road for the benefit of new settlers, who are but little able to perform so heavy a work at present.

The Committee perceive by the plan that a road may be run down along the western boundary of Mr. De Longueuil's seigniory from the place where the projected road intersects that boundary to Pointe au Bodet on Lake St. Francis, a distance of about six miles from whence a road leads to Quinchin. These six miles, however, as the law stands, must be made and kept in repair by Corvée of the people who apply for it, or who from it may reap benefit.

Joseph Dejarlais: Read the memorial of Joseph Dejarlais, praying that part of the lot No. 3, which he drew in the tract surveyed at Lake St. Francis (Lower Canada) for the Canadian Corps who had served at St. Johns and Bennington, which proves to be swampy and uninhabitable, may be changed for an equal quantity (100 acres) in lot No. 37, or for a half of lot No. 53 in the first concession, or 34, 35 or a half of No. 36 in the second concession.

The Committee recommend that lot No. 53, which contains 100 acres in the second concession, may be granted to the memorialist, Joseph Dejarlais, in lieu of a half of the bad lot No. 3 which he drew, No. 35 by the plan appearing to be vacant.

C. Thomas: Mr. C. Thomas's memorial of the 17th of March was next considered by the Committee. In 1788 Mr. Thomas petitioned for 500 acres of land on the side of the Ottawa River, opposite to the lands laid off for the 84th Regiment, on the nearest unconceded lands thereto. On that petition and on the report of this Committee thereon, Mr. Thomas obtained His Excellency Lord Dorchester's Order-in-Council of the 29th of December, 1788, for lands in the place described, but he now states that he has understood that the tract assigned to him by His Excellency's Order-in-Council has been located by some person under a certificate from the Land Office Board of Montreal. The Committee conceiving that Mr. Thomas has a preference to the lands he first petitioned for cannot recommend him for a grant of Lot No. 37 on Lake St. Francis in lieu of lands which are not as he imagines taken out of his hands. Lot No. 37 has been applied for by Mr. De Boucherville, in lieu of a bad lot which he drew, and the Committee have recommended that the prayer of his petition may be granted.

Resolved, that the chairman, with all convenient speed, present to His Excellency Lord Dorchester a fair copy of the minutes from the 7th to the 21st day of May, both days inclusive, as expressing the opinion of this Committee with several matters therein mentioned.

HUGH FINLAY, in the Chair.

His Lordship caused the Order of the 22d October, 1788, alluded to in the foregoing report to be read, and the same appearing to require explanation, it was declared by His Lordship, with the concurrence of the Council, that the benefits intended by the said Order are to extend to all reduced officers, without distinction of corps, who being entitled to lands as such under the King's Instructions of 1783, had actually obtained and improved the same, previous to the aforementioned Order of the 22d October, 1788.

Joseph Dejarlais: Ordered by His Lordship with the advice of the Council, that the Surveyor-General issue a certificate of occupation in the usual form to Joseph Dejarlais for the lot No. 35 containing one hundred acres in the second concession of the Canadian settlement on the Lake St. Francis in lieu of the half of No. 3, cancelling the certificate issued for the same, making it vacant.

Ordered also by His Lordship, with the advice of the board, that the remainder of the matters contained in the foregoing report be referred to a Committee of the whole Council.

Land Committee's Report: Whereas there was this day read at the board the following report of the Land Committee of the 28th of June last, viz.: To His Excellency The Right Honourable Lord Dorchester, etc.:

The Journal and Report of the Land Committee, consisting of Messrs. Finlay, Collins and Grant, on sundry petitions for grants of the waste lands of the Crown.

May it please Your Lordship: The Committee having considered several petitions for grants of waste lands appertaining to the Crown, referred to them by Your Excellency, now take the liberty to annex hereunto for Your Excellency's information the journal of their proceedings containing their opinion on such of the applications as they have been able to take into their consideration, which is most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 28th June, 1790.

JOURNAL

At the weekly meeting of the Land Committee on Friday, the 25th June, 1790, there being present Messrs. Finlay, Collins and Grant.

John Cook and Nicholas Rausch: Read the petition of John Cook and Nicholas Rausch of the Town of Livingston in the State of New York, dated the 26th of January last, setting forth that two hundred and fifty families, their associates (who had all suffered on account of their loyalty to His Majesty during the late war), humbly conceiving that it is the intention of His Excellency The Right Honourable Lord Dorchester to grant them some compensation for their sufferings, they now repeat the prayer which (they say) they made to His Lordship in the year 1783 whilst he was Commander-in-Chief at New York, viz.: for a grant of a tract of land lying and being on the northwest side of Lake Memphramagog (Lower Canada), beginning on the northwest side of the outlet known by the name of the river ——— thence running northerly down the west side of the said river, so far as to contain in a square piece the quantity of acres that may be allowed for the said 250 families, and the petitioners likewise state that they will settle the same as soon as it may please His Lordship to grant it to them, under such restrictions as he in his wisdom shall see fit.

The Committee observe that there is no kind of proof exhibited with this petition that the 250 families therein mentioned have authorized Messrs. Cook and Rausch to apply for lands in this Province in their behalf, nor does it appear by anything before the Committee that the petitioners have suffered on account of their attachment to the British Government and adherence to their loyalty; but granting that the petitioners have been commissioned by a number of people of known loyalty to apply in their behalf for lands here, the situation they have pointed out cannot, under His Majesty's Instructions, be granted to any persons; and further, supposing it may please His Majesty to permit grants to be made of the waste lands of the Crown, near the line which separates this Province from Vermont on the east side of Lake Champlain, the tract the petitioners have applied for is covered by prior applications; yet as the acquisition of numbers of industrious settlers well affected to the King's Government would add to the strength and increase the wealth of the Province, it is the opinion of this Committee that encouragement should be given to the petitioners and their associates by assuring them that upon application lands will be assigned to them in any of the districts above Montreal on their satisfying the respective Land Office Boards of the safety and propriety of admitting them to become inhabitants of this Province.

Capt. Rich'd Duncan, Capt. A. McDonell, Capt. John Munro, Lieut. Hugh Munro: Read the joint petition of Capt. Richard Duncan, Capt. A. McDonell, Capt. John Munro and Lieut. Hugh Munro, late of the Royal Regiment of New York, for lands in the rear of the Townships of Williamsburg and Matilda on each side of the river called Petite Nation, in such proportion as will put them on a footing with the officers of the same rank of the late 84th Regiment.

The Committee observe that there is no township laid out where the petitioners have made application for their additional lands, but as soon as it may please His Excellency to order the waste lands of the Crown lying on the river Petite Nation to be set off in townships and divided into lots, they perceive no reason why the prayer of the petitioner may not be granted.

Lieut. W. Coffin: Read the petition of Lieut. William Coffin of the 1st. Battalion of the Royal New Yorkers, praying for an additional quantity of land to put him on a footing with the Lieutenants of the late 84th Regt., to be laid off on the Island of Mille Roches, at the foot of the Long Sault in the Township of Cornwall and District of Luneburg, and recommended by the Land Office Board of that District.

The Committee having understood that His Excellency Lord Dorchester does not see it fit to grant islands in the Great River reported on the petition of Joseph White, who had applied in 1788 for a grant of Grenadier Island, that as islands were reserved his petition would not be granted, and as the same arrangement remains unaltered, the Committee cannot concur with the Land Office Board of Luneburg in recommending the prayer of Mr. Coffin's petition.

Hesse: Read a letter written by John Collins, Esq., the Deputy Surveyor-General, to Mr. Secretary Motz of the 18th instant referred to this Committee by His Lordship together with two papers mentioned in the letter which states that in consequence of the request of the Land Office Board for the District of Hesse, communicated to him relative to grants of lands made there, he had sent to Mr. Motz all the knowledge he had been able to obtain touching grants of lands made in that district, being simply an extract from the French Register of Grants made en roture at Detroit previous to the Conquest of Canada, without distinguishing which may be on the east, or which upon the west side of the Strait or River, together with a paper dated at Detroit the 1st of October, 1787, and thus headed: "List of disbanded troops and loyalists to be settled on the north side of Lake Erie from a creek four miles from the mouth of the River Detroit to a small creek about a mile and a half beyond Cedar River."

The day being far spent the Committee adjourned until Monday next at 10 o'clock.

At a special meeting of the Land Committee on Monday, 28th June, 1790. Present: Messrs. Finlay, Collins and Grant.

Resumed the consideration of the papers delivered to Mr. Motz by Mr. Collins containing all the information he had been able to collect relative to grants of lands made in the District of Hesse:

The Committee do not perceive that the first paper, which is a list of rotture concessions or grants made under the French Government, nor the second paper, Major Mathews's list of grants to be made at Detroit, can convey to the Land Office Board of Hesse any satisfactory information or guide them to the discovery of the situations of the occupancies of the settlers in that district; nor will that board be enabled to grant location certificates in the mode prescribed by His Excellency Lord Dorchester's Instructions for the Conduct of the Land Office Department until the board can be furnished with surveys of the parts settled, laid out into regular townships, and every occupant's lot laid down thereon; and the Committee humbly would submit whether it might not be expedient to transmit to the Land Office Board of Hesse a survey from the eastern boundary of the district at Long Point, following the coast off Lake Erie, up the east bank of the Detroit River, following the eastern shore of Lake St. Clair all the way to the entrance of Lake Huron.

Mr. Collins informs the Committee that the tract on which the disbanded troops and loyalists were to be settled was (as he has been told by Major Mathews) surveyed by Mr. Thomas Smith, now Clerk of the Court for the District of Hesse, of whom more ample information may be had by the Board relative to that settlement. (Signed) HUGH FINLAY, in the Chair.

His Lordship taking the said report into consideration was pleased, with the advice of the Council, to order, as it is hereby ordered, that a copy of the proceedings of the Land Committee of the 25th and 28th of June relative to a letter of the 18th of the same month from the Deputy Surveyor-General respecting the District of Hesse and the original papers therein referred to, be transmitted to the Land Board of the District of Hesse for their information, apprizing them that no survey of their district can be sent from hence, none being in the possession of the Surveyor-General's Office.

Ordered also by His Lordship with the advice of the board, that the remainder of the matters contained in the foregoing report be referred to a Committee of the whole Council.

Maps and Plans: Read the report of the Land Committee of the 9th of July, 1790, in the following words, viz.:

To His Excellency The Right Honourable Lord Dorchester, Governor-General of the Provinces of Quebec, &c.

Report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) on His Lordship's reference in Council of the 17th of May:

May it please Your Excellency: In obedience to Your Lordship's order of reference in Council of the 17th of May, as follows: Mr. Collins from the Surveyor-General's Office produced various maps pursuant to the order of the 22nd of Feb'y last, the work being not completed,

Ordered by His Lordship, with the advice of the Council, that the Surveyor-General's Office make a monthly report of the work to the Land Committee, and the impediments, if any there are, that attend it; and that the Land Committee make a monthly report thereon to His Lordship.

The Committee, on information from the Surveyor-General's Office that sundry maps were ready for their inspection, appointed this day for examining the same; the first produced was part of the general plan of the Province upon a scale of six miles to an inch, comprehending the settlements between Bic and the western extremity of Lake Erie, upon which are laid down seigneuries granted under French Government, as well upon the north as upon the south side of the River St. Lawrence as high up as Point Bodet, the easterly boundary of the District of Lunenburg.

On the same plan is laid down the townships in the new districts, as well on the River St. Lawrence all the way to the entrance of Lake Ontario, as on the north side of that Lake as far as the head of the Bay of Quinté, comprehending likewise the Township of Toronto with all the townships west of Niagara to the head of Lake Ontario, and also the townships on each side of the Ottawa River, as high as the mouth of the River Rideau. There was next produced a rough draft of part of the general plan, comprehending both shores of the River St. Lawrence from Bic down on the south side to Cape Rosier, and from thence extending to the Bays of Gaspey and Chaleurs; up the River Richigouche at the head of Chaleur Bay to the source of that river, and from thence down the River Verte to its junction with St. John's River in New Brunswick. And, on the north side of the St. Lawrence extending from opposite to Bic as aforesaid to Mecatina, including the Island of Anticosti, and the islands in the Gulph of St. Lawrence, with part of Newfoundland and Cape Breton.

The plan of the District of Nassau was next laid before the Committee, on a scale of two miles to an inch, but incomplete from the want of an actual survey of the north shore of Lake Erie all the way from Fort Erie to Long Point, but it will be filled up from sketches. The Deputy Surveyor-General informed the Committee that the office being in possession of sketches only, of the District of

Hesse, no plan has been prepared therefrom, because were it to be laid down by the general scale, it would occupy too great a space, therefore the Surveyor-General's Office propose that it should be laid down by a scale of six miles to an inch, to bring it into a moderate size.

Plans of the Districts of Mecklenburg and Luneburg were next exhibited, with the townships in each, thereon respectively laid down, all the plans of the separate districts are ready to be laid before His Excellency as soon as they can be pasted upon linen for their better preservation. And lastly were laid before the Committee plans of each of the districts in the old settled parts of the Province, viz., Quebec, Montreal, Three Rivers and Gaspé, with a number of seigneuries laid down in each which last plans as the Surveyor-General's Office informed the Committee, will be ready to be laid before His Excellency Lord Dorchester as soon as the Committee appointed by His Lordship in Council of the 22d of February last, charged to furnish a list of all the parishes in the Provinces (with the seigneuries and other grants held of the Crown comprehended in each, together with the extent of every respective parish) shall have reported the same, to enable the Surveyor-General's Office to lay them correctly down on the General Plan, and on the plan of each particular district in which such parishes may lie.

The Deputy Surveyor-General reports to this Committee that the office requires an assistant draftsman to expedite the work in hand, seeing that copies are wanted for transmission to the Secretary of State's Office. All which is most humbly submitted to His Lordship. Signed by order of the Committee,
HUGH FINLAY, Chairman.

Council Chamber, Bishop's Palace,
Quebec, 9th July, 1790.

Read the Report of the Land Committee of the 15th of July, 1790. Referred by His Lordship to a Committee of the whole Council.

Read a letter from the Land Board for the District of Mecklenburg, dated 30th June, 1790, to Mr. Secretary Motz, with two inclosures. Referred by His Lordship to a Committee of the whole Council.

Read the report of the Land Committee of the 20th of July, 1790. Referred by His Lordship to a Committee of the whole Council.

[LAND BOOK B]

Wednesday, the 25th of August, 1790

At the Council Chamber in the Bishop's Palace. Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable William Smith, Esq., Chief Justice, and The Honourable Hugh Finlay, George Pownall, Thomas Dunn, Henry Caldwell, Edw'd Harrison, William Grant, John Collins, Francis Baby, Adam Mabane, Charles De Lanaudiere, J. G. C. Delery, Le Comte Dupré, Esquires.

Messrs. Lorimier: Whereas there were this day read at the board the following reports:

(1) Report of a Committee of the whole Council, viz., The Chief Justice and Messrs. Harrison, Collins, Delery, Pownall, Grant, Baby and Dupré, on a report of the Land Committee respecting the case of Messrs. Lorimier.

May it please Your Lordship: The Committee being assembled in obedience to Your Lordship's order and having read the report of the Land Committee, and heard Mr. Collins, the Deputy Surveyor-General, on sundry questions proposed to him, are humbly of opinion that the Royal Patent to be issued to the Messrs. Lorimier may contain the tract or tracts described in pencil lines on the map annexed to the report of the Land Committee by order of this Committee, and that the Surveyor-General may be directed to make a return of survey into the Council Office for that purpose. All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

(Sgd.) WM. SMITH, Chairman.

Quebec, 20th Aug., 1790.

(2) Report and Journal of the Land Committee, Messrs. Finlay, Collins, Caldwell, Grant and De Lanaudiere, on His Lordship's reference of the memorial of Mr. Chevalier Lorimier, in behalf of himself and his brother.

May it please Your Excellency: In due obedience to Your Lordship's commands, this Committee did, at several meetings, consider the memorial of Mr. Chevalier Lorimier, of the 8th of last April, relative to a thousand acres of land of which his brother, Guillaume, and he had taken possession in the Township of Edwardsburg, in the District of Lunenburg, part of a tract lately ceded by certain Indians to the Crown, stating that they now understand that they will not be able to obtain a grant of the same, seeing that the scite of their improvements interferes with certain reserves in the environs of a Town now laid out there, and they pray for compensation for a house they have built and for the clearings they have made around it, as they were led to make those improvements in consequence of a letter written by Mr. Collins, the Deputy Surveyor-General, of the 22d January, 1789, inclosing Your Excellency's Order-in-Council of the 29th Dec., 1788, allotting them 1,000 acres at La Vielle Galette.

The Committee beg leave to refer Your Lordship to the Journal annexed, containing their proceedings on this reference, and shewing the foundation of Messrs. Lorimier's claim, and the opinion of the Committee respecting it. All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

(Sgd.) HUGH FINLAY, in the Chair.

Quebec, 15th May, 1790.

JOURNAL.

At a meeting of the Land Committee, Thursday, 22d April, 1790, there being present Mr. Finlay, in the chair; Messrs. Collins, Caldwell, Grant and De Lanaudiere.

Read the petition of Chevalier Lorimier, in behalf of himself and his brother. Francois De Verneuil Lorimier, late Officers in the Indian Department, dated the 8th April, 1790, setting forth that they received a letter from John Collins, Esq., Deputy Surveyor-General, dated the 22d January, 1789, inclosing His Excellency's Order-in-Council of the 29th December, 1788, by which it appeared that the prayer of their petition had been granted for 500 acres of land each at La Vielle Galette, and Mr. Collin's letter directed them to point out the particular spot where they wished to locate.

Notwithstanding that letter an order was afterwards sent to Chevalier Lorimier at La Galette last January from the Land Office Board of Lunenburg, but without date, by which it appears that the petitioners are deprived of the scite they had chosen, because the intended town and town parks to be laid out

in Edwardsburg upon the tract they had pitched upon will take in the very lands they had chosen, sat down upon and improved at great expense, on the strength of the letter which they received from the Deputy Surveyor-General and they further represent that they have not the means of clearing new lands and they conclude by praying His Excellency Lord Dorchester to recompense them for the improvement they have made, provided they cannot be permitted to keep the lands they have taken possession of and in part cleared.

Mr. Lorimier attended the Committee and produced the letter and order mentioned in his petition as follows:

Quebec, 22d January, 1789.

Sir: Inclosed is the copy of an Order-of-Council for 500 acres of land for yourself and the same for your brother, please let me know where you wish to have it, and I shall give the necessary Order for having it laid out accordingly. I am, Sir, &c. (Signed) JOHN COLLINS, D.S.G.
Francis Verneuil Lorimier.

Extract from the Minutes of Council, Monday, 29th December, 1788.

Francois Verneuil De Lorimier and G. De Lorimier for lands at Vielle Galette. Ordered that the Surveyor-General report a survey of five hundred acres for each, if in the gift of the Crown. (Signed) J. WILLIAMS,

The second Order alluded to in the petition which he received in February last was likewise produced; it appears to be copy of a letter from Mr. Secretary Motz to the Chairman of the Land Office Board of Luneburg. The following is an extract from it: Ordered by His Lordship, with the advice of the Board, that the Land Board for the District of Luneburg cause a tract of five hundred acres to be assigned to Mr. Francis Verneuil de Lorimier, and a like tract of five hundred acres to be assigned to Mr. G. de Lorimier in satisfaction for their joint petition for lands elsewhere, in such part of the Indian Tract in Edwardsburg, or such other part of the District of Luneburg as they may respectively point out, without interfering with any general rules and regulations.

Although Mr. Lorimier is not considered by the Council and the Deputy Surveyor-General to have had authority to take possession of the spot, where it seems he has begun to make improvements, yet His Lordship in regard of the exertions of both the Messrs. Lorimier in accomplishing the purchase of these Indian lands, as well as their former services, recommends them to the attention of the board, as far as their general instructions and approved arrangements may permit, His Lordship thinks them entitled to a town lot, and town park each, the latter of which if possible, should include their improvements already begun.

With regard to the five hundred acres allotted to each of them, the board will judge how far they may be accommodated in any other part of the tract, or the district at large without interfering with general orders and arrangements.*

Mr. Lorimier informs the Committee that he at the same time received an Order from the Land Office Board of Luneburg assigning to him and his brother, to be laid off in such part of the Indian Tract in Edwardsburg, or any other part of the District of Luneburg as they might point out, not interfering with any general rules or regulations, and in satisfaction for their joint petition for lands elsewhere. But he begs leave to observe that they took possession of the tract they have built upon and improved, by authority from His Excellency in Council—the lands at that time belonging to the Crown, and being the very spot peti-

*This Order corresponds with that made in Council on the 9th Nov., 1789.

tioned for, and on which they have laid out their all; and he remarks it will be hard indeed if they shall be deprived of that property. The Committee desired Mr. Lorimier to explain the meaning of the concluding part of the petition mentioning recompense. He answered that if he and his brother must cede the lands he had prayed for, and which they improved upon the faith of the papers laid before this Committee, they do not wish for lands elsewhere as they are without the means of improving them, having laid out all they had in the world upon the lands in question, in building a solid log-house 60 feet long by 30 feet wide, well finished, and by clearing between 40 and 50 acres of land, the half of which is now fit for the plough, all which, together with the unimproved part of the tract, they estimate to be worth £750.

Mr. Collins was desired to order Mr. Chewet, the Deputy-Surveyor, to attend. Adjourned until to-morrow.

At a further meeting on Friday, 23rd April, 1790, the same members as yesterday being present.

Mr. Chewet produced a plan of the New-Town (Johnstown) laid out on the tract lately purchased from the Indians at Edwardsburg shewing to the Committee how the lands which Messrs. Lorimier took possession of (upon the strength of Mr. Collin's letter of the 22d January, 1789) will interfere with the rules and regulations to be observed in laying out town plots in the new settlements, and it appeared on the face of the plan that all the town parks to the westward, together with a part of the town itself, would be absorbed in Mr. Lorimier's grant.

Mr. Lorimier being present desired leave to question Mr. Chewet. Granted.

1st. Si Monsieur Chewet n'a jamais tiré aucuneligne sur les titres semblables à ceux que Je possède?

Mr. Chewet: Never; my instructions were always general.

2d. Si J'avois proposé a Monsieur Chewet de tirer les lignes en lui montrant la lettre de Monsieur Collins, et l'ordre du Conseil, l'auroit il fait?

Answer: No, I could not, until such time as the Deputy Surveyor-General had sent the necessary orders.

Question by Col. Caldwell to Mr. De Lorimier: On the 29th December, 1788, were the lands at La Vielle Galette ceded to the Crown by the Indians?

Answer: Yes, in August, 1788.

Question: Have you any proof of that cession at that time? Answer: Yes. The lands were ceded to me at La Galette and ratified by the Indians in a Council at Montreal held before Lord Dorchester about the end of August or beginning of September, 1788. Lieut. Col. Campbell was present.

Question by Mr. Grant to Mr. Lorimier: Has there been any other formal cession since, by writing or otherwise by the Indians to the Crown? Answer: No.

Question by Col. Caldwell to Mr. Lorimier: When you received Mr. Collins's letter inclosing the Order-of-Council of the 29th Dec., 1788, directing you to point out the place where you wished to have your lands laid out, why did you not comply with that direction? Answer: My brother did send an answer immediately, desiring the survey to be made at La Vielle Galette where it had been petitioned for, and at the same time wrote a letter of thanks to His Lordship.

Question by Mr. Grant to Mr. Lorimier: What answer did you receive from Mr. Collins and when? Answer: We received no answer.

Question by Mr. Grant to Mr. Collins: Did you receive any letter from Mr. Lorimier? Answer: I do not recollect that I did. I shall look among my papers and inform the Committee.

Question by Col. Caldwell to Mr. Lorimier: At what time began you to clear those lands after you had received Mr. Collins's letter inclosing the Order-in-Council of the 29th December, 1788? Answer: As soon as the weather permitted the spring following.

Col. Caldwell then moved that the following be reported to His Excellency Lord Dorchester as the opinion of this Committee on the reference before us, touching Messrs. Lorimier's claim for the lands they now possess:

That it is the opinion of this Committee that the lands at La Vieille Galette had been ceded to Government previous to the Order-of-Council of the 29th December, 1788.

That Messrs. Lorimiers were entitled by that Order to the quantity of land therein specified, and that any surveyor employed by Government would have been justifiable in measuring that quantity in the place expressed in the order. That in case those lands are wanted for the use of the public, Messrs. Lorimier are entitled to full compensation for the same, as it appears to them the faith of Government is pledged by the aforesaid Order to Messrs. Lorimiers for the quantity of 1,000 acres at La Vieille Galette, if in the gift of the Crown, as it appears to have been at the time the order was made.

The question whether the Committee coincide with Col. Caldwell on his motion being put, debates arose.

For the motion: Mr. Caldwell.

Against it: Mr. De Lanaudiere, Mr. Grant, Mr. Collins.

Carried in the negative, 3 voices against 1. Adjourned until Friday.

Friday, 30th April, Committee of the whole Council, no land business. Adjourned to Monday, 3rd May.

On Monday, 3d May, the Committee met. Members as before, except Colonel Caldwell.

The Deputy Surveyor-General informed the Committee that he had searched his papers but found no letter from Messrs. Lorimier or either of them, in answer to his of the 22d January, 1789, inclosing His Excellency's Order-in-Council touching lands at La Vieille Galette, and further that he does not recollect ever to have heard from them on the subject.

Mr. Lorimier presented a letter addressed to the Chairman of the Land Committee dated 3d May, 1790, which was read:

Quebec, 3 May, 1790.

Messieurs: Apres avoir fait toutes mes reflections sur les circonstances qui ont été considéré lorsque J'ai eu l'honneur de paraitre en votre Comité, Je me crois encore fondé dans le droit que mon frere et moi avons sur les mille arpents de terre ou nous sommes presentement établis.

Une partie de cette terre paroissant nécessaire ou utile au plan de la Ville de Johnston, Je ne peux me refuser au desir du Gouvernement, quoique J'en puisse souffrir, et pour manifester en toutes occasions mon zele pour l'interêt de la Couronne, Je fais un abandon de mes cinq cent arpents de terre sur les conditions suivantes, s'il m'est permis d'en faire.

1°. Que mon frere soit maintenu en la possession et propriété des cinq cents autres arpents, sur lesquels il a bâti.

2°. Que Je reste dans la confiance que cet Honourable Committee voudra bien me recommander pour une juste compensation en autre terre, à titre de don ou concession de la couronne pour les cinq cents arpents que J'abandonne, et que Je Pourrai obtenir en outre un emplacement dans la Ville de Johnston, avec part dans la Commune qui en dependra. Je desire que ces dernières propositions

soient à la satisfaction de vos Honneur, desquels Je me dit avec respect. Messieurs, Votre très humble et très obéissant Serviteur. (Signé) CH'S LORIMIER. L'Honourable Hugh Finlay, Ecuyer.

President du Committé pour les Terres, &c.

The Committee being of opinion that before they proceed further, the Deputy Surveyor-General be desired to furnish a sketch of the lands ceded by the Indians in Edwardsburg, with the town parks and reservations for the seminary and other Crown reservations laid down thereon, to shew at one view how the town plot is affected by the claim of Messrs. Lorimier. Resolved accordingly. Adjourned to Friday, 7th May.

On Friday, 7th of May, met according to adjournment. Present: Messrs. Finlay, Collins, Grant and De Lanaudiere.

The Deputy Surveyor-General produced the plan agreeable to the resolve of this Committee of the 3rd instant, on which is laid down a town plot, of a mile square, together with certain reservations surrounding it, agreeable to the rules and regulations of the 17th of February and the 25th of August, 1789, as far as the peculiar scite of town, and the adjacent lands could permit.

The Committee having considered the plan observe that the tract lately ceded by certain Indians to the Crown has a front of two miles. That the Town Plot lately laid out is situated upon the river and its front line exactly in the middle of the tract; but as the said lines which bound the town on the east and on the west do not run parallel with the lines which bound the tract, the half mile area which ought to surround the town for works of defence if necessary will not be complete as the boundary line of the lands lying contiguous to the town and actually settled by loyalists prevents its extension westward and leaves no room for town parks on that side, and if the request of Chevalier Lorimier in behalf of his brother, Guillaume, as stated in his letter of the 3d instant shall be granted, for six acres in front, running backwards the same breadth parallel to the western boundary of the tract in question, to contain 500 acres almost the whole of the area reserved for defence on the west side of the town would be covered; it would take in about five acres of the square reserved in the northwest corner of the town plot for an hospital, burying ground or other uses; and there would be 74 acres of the area reserved for town parks, north of the town, comprehended in that grant.

The Chairman observed that it now remains with the Committee to consider how far Messrs. Lorimier had been authorized to clear any part of the land at La Vielle Galette and to build thereon, and if they shall be of opinion that these gentlemen had a right to set down there, it will be proper to point out where the town parks that are included in the tract claimed by Messrs. Lorimier may be supplied.

Mr. Grant then moved to resolve that it appears to this Committee that the lands at La Vielle Galette were ceded by the Indians to the Crown in August, 1788.

That the Order-in-Council for Messrs. Lorimier to have 1,000 acres there, if in the gift of the Crown, was dated the 29th of December following;

That Mr. Collins, the Deputy Surveyor-General, wrote to Messrs. Lorimier the 22d January, 1789, inclosing that order and directing them to point out the place where they wished to have their 1,000 acres set off, and he would give orders accordingly;

That in May, 1789, they entered on possession under the Order-in-Council, but before any survey was made and they cleared part of the land and built a house thereon;

That in February, 1789, Land Boards were appointed and a general plan for laying out town plots with certain reservations for town parks, &c., was resolved upon in Council;

That on the 9th of November, 1789, an Order-in-Council issued on a report from this Committee of the 3rd of that month, which stated that Messrs. Lorimier had improperly taken possession of lands at La Vielle Galette which interfered with the town plot of Johnstown in Edwardsburg;

That the Land Committee were not then informed that the lands at La Vielle Galette had been purchased from the Indians in August, 1788, and were consequently in the gift of the Crown at that day, for in that case they would not have reported unfavourably to Messrs. Lorimier;

Therefore the whole maturely considered the Committee humbly advise that Mr. Lorimier be confirmed in the possession of 500 acres of land at La Vielle Galette as prayed for in his brother's letter of the 3rd instant, and that Chevalier Lorimier have a town lot and town park with 500 acres adjoining to and at the north boundary of the tract to be set off for his brother, Guillaume, and of a like front, viz., six acres. The Committee do not apprehend much inconvenience can arise to the settlers in the town from the grant, as parks may be provided for the town people by bounding the area to be reserved for parks at the back of the town by a line to be drawn more to the northward.

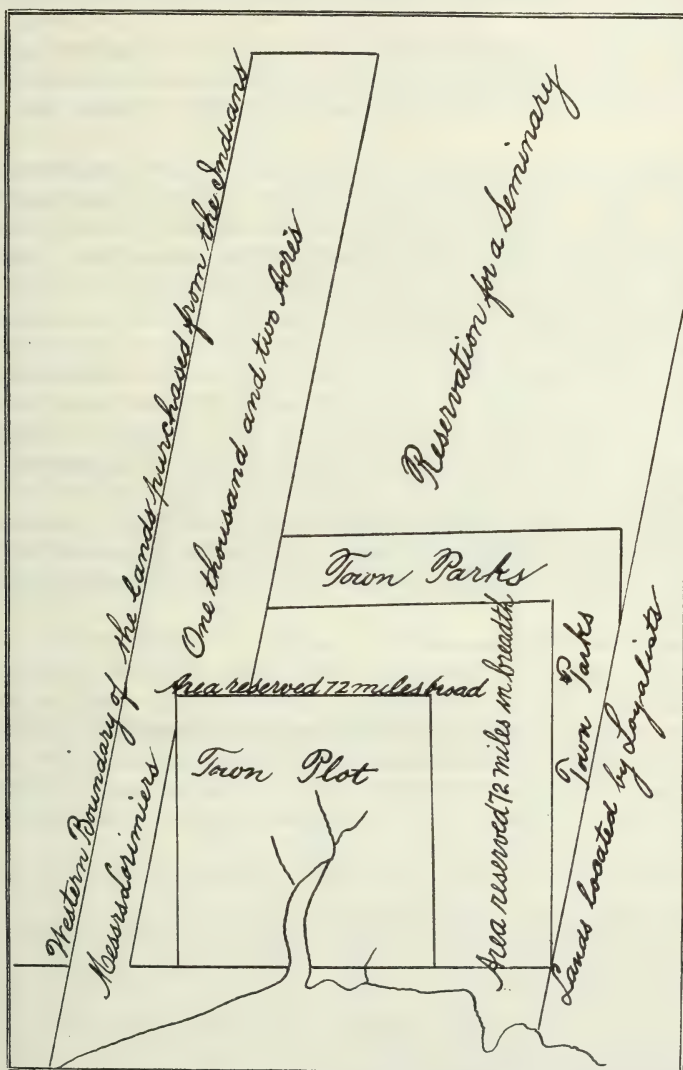
Resolved, by Messrs. Collins, Grant and De Lanaudiere, that the foregoing motion is expressive of the opinion of this Committee relative to the claim of Messrs. Lorimier for a thousand acres at La Vielle Galette and that the proceedings of this Committee on the reference of Messrs. Lorimier's petition be reported to Lord Dorchester, and that the plan of the town plot laid before the Committee by the Deputy Surveyor-General be thereunto annexed.

Whereupon the Chairman observed that he could not admit that Messrs. Lorimier had derived any right to sit down on the lands lately ceded in Edwardsburg from His Excellency's Order-in-Council of the 29th of Dec'r, 1788. That they ought to have postponed clearing any part thereof, or building thereon until a survey had been made and a Certificate of Location put into their hands by the Land Office Board at Lunenburg; but all circumstances of the case considered he would nevertheless humbly advise His Lordship to grant to Mr. Guillaume Lorimier the spot on which his house stands in Edwardsburg, together with the land which he has cleared round it, not, however, to exceed 48 acres. The front or most southerly boundary, to be upon a line with the most southerly row of buildings in the town, to begin at a point on the western boundary of the tract lately ceded by certain Indians to the Crown, thence easterly six acres, thence northerly eight acres, thence westerly six acres, thence down the western boundary eight acres to the first station and that he obtain a further tract of 450 acres, beginning at the upper and westermost corner of the area reserved for works of defence, having a front of six acres upon the northern boundary of the said area, and running back northward 75 acres parallel with the western boundary of the land, ceded by the Indians as above said, together with a town lot. And that Chevalier Lorimier obtain a grant of 500 acres immediately behind and adjoining his brother Guillaume's tract, and of a like front, together with a town lot and town park.

HUGH FINLAY, in the Chair.

Quebec, 7th May, 1790.

Ordered thereupon that the Surveyor-General's Office report unto the Council Office a clear description of the tract proposed by the Committee of the whole Council to be assigned to Messrs. Lorimier, to the intent of its being communicated by the Clerk to the Land Board for the District of Lunenburg for their report, whether the faith of Government stands pledged by them for any and what parts of the said tract, under authority of their general instructions, that such further course may be taken thereon as the case shall be found to require.



DESCRIPTION OF TRACT

Plan of the Town Plot of New Johnstown and a lot of one thousand acres for Messrs. Lorimier, to begin on the western boundary of the land purchased from the Indians, and to run towards the Town on a line with the front of the same, six acres and from thence on a line parallel with the western boundary mentioned above twenty-five acres to the northern boundary of the Town Plot, including one hundred and fifty acres and from thence to be twelve acres in front, adjoining the boundary line of the Town, by seventy-one acres in depth, making eight hundred and fifty-two acres, which added to the former one hundred and fifty mentioned above makes in the whole one thousand and two acres agreeable to the Order-of-Council the 25th August, 1790.

Quebec, 27th August, 1790.

(Signed) JOHN COLLINS, D.S.G.

Friday, the 8th October, 1790.

At the Council Chamber in the Bishop's Palace.

Present: His Excellency The Right Honourable Lord Dorchester, Governor; The Honourable Alured Clarke, Esq., Lieutenant-Governor; The Honourable William Smith, Esq., Chief Justice, and The Honourable Hugh Finlay, George Pownall, Thomas Dunn, William Grant, Edward Harrison, Francis Baby, John Collins, Charles De Lanaudiere, Adam Mabane, Le Comte Dupré, J. G. C. Delery, Esquires.

Nicholas Austin: Read the report of the Land Committee on the petition of Nicholas Austin and 254 heads of families, his associates. Ordered to be entered.

Report of the Land Committee consisting of Mr. Finlay, Mr. Collins and Mr. Grant.

May it please Your Lordship: In obedience to Your Excellency's commands to us signified by Mr. Motz's letter of yesterday, we have considered the applications made to Your Lordship by petitions from Nicholas Austin of the State of New Hampshire and his associates for lands on the banks of the Lake Memphramagog (Lower Canada), stating that he and 254 persons with their families are desirous to remove from the States of America and become subjects of His Majesty under Your Lordship's Government, provided they shall be able to obtain a tract of ten miles square or 64,000 acres on the eastern bank of the said lake, which they will engage to settle immediately. Sir John Johnson, in his letter to Your Lordship dated at Montreal, the 22d of October, 1789, recommends the petitioners to Your Excellency as settlers worthy of encouragement in the words following:

The Land Board here having taken the inclosed petition into consideration are of opinion that the settlement of such a number of persons of the description of Mr. Austin and his associates would be of great advantage and benefit to the Province.

The Committee then proceeded to examine of the ungranted lands on the south side of the River St. Lawrence where Lake Memphramagog is situated, and having pointed out to the petitioner, Mr. Austin, that the tract he has applied for for himself and his associates was petitioned for in June, 1788, by Colonel Fitch, Mr. Austin then requested that a similar tract of ten miles square might be laid off for him and associates upon the east side of the River Richelieu to be bounded in front by the depth of a seigneurie upon the said river, the property of Major-General Christie and Col. Campbell.

The Committee not finding that any application for this last-described tract has been made are of opinion that the prayer of the petitioners may be granted as soon as it shall be His Majesty's pleasure to order grants to be made on the south side of the River St. Lawrence, provided that Mr. Austin and associates give satisfactory proof of their attachment to His Majesty's Government, take the oaths, and subscribe the declaration prescribed by the King's additional instruction dated St. James's, the 7th day of August, 1783.

If, however, it may appear hereafter that any part of the last tract applied for has been already granted, the Committee humbly recommend that the part so granted may be made good to the petitioners from the waste lands of the Crown so as to form one continued tract.

Quebec, 2d October, 1790.

HUGH FINLAY, in the Chair.

Major Edward Jessup: Read the report of the Land Committee on the petitions of Major Edward Jessup, Mr. Allsopp and Antoine Foucher. Ordered to be entered.

Read the report of the Land Committee consisting of Messrs. Finlay, Collins and Grant, held in the Council Chamber, Bishop's Palace, Saturday, 2d October, 1790. The Committee considered sundry petitions for grants of the waste lands of the Crown referred to them by His Lordship, the Governor-General, and first:

Major Edward Jessup: The petition of Major Edward Jessup, Commandant of the late Loyal Rangers, dated the 9th of September last, praying for a grant of 110,000 acres of land to recompense him for a like quantity of uncultivated land which he possessed in the Province, now the State of New York, confiscated on account of his loyalty to the King and attachment to the British Government. The Committee humbly apprehend that His Majesty's Instructions do not authorize compensation to be made in grants of the waste lands of the Crown, for losses, such as set forth by the petitioner.

The Committee humbly inform Your Lordship that the petitioner, as a reduced Provincial Field Officer, drew agreeably to His Majesty's Instructions 1,000 acres of the waste lands of the Crown; and further, Your Excellency by Your Order-in-Council was pleased to put Major Jessup and the officers of his corps on a footing with those of equal rank of the late 84th Regiment with respect to lands, by which he is entitled to an additional quantity of 4,000 acres, which he has applied for on the River Petite Nation in the District of Lunenburg.

Antoine Foucher: The Committee proceeded to consider the petition of Antoine Foucher for an island in Lake St. Francis, opposite to and about a half league in distance from a lot No. 14 which he drew upon the banks of the lake; the island is computed to contain about seven acres in superficies.

Upon this petition the Committee humbly report that by Your Excellency's Order-in-Council of the 17th of May last, no islands lying in the Great River are to be granted for the present, therefore the request of Mr. Foucher for the Island of Ganaragué in Lake St. Francis cannot be complied with. All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Monday, the 15th of November, 1790.

At the Council Chamber, in the Bishop's Palace.

Present: His Excellency The Right Honourable Lord Dorchester, Governor; The Honourable Alured Clarke, Esq., Lieutenant-Governor; The Honourable William Smith, Esq., Chief Justice, and The Honourable Hugh Finlay, George Pownall, Thomas Dunn, William Grant, Edward Harrison, Francis Baby, John Collins, Cha's De Lanaudiere, Adam Mabane, J. G. C. Delery, Le Comte Dupré, Esquires.

The following report was read: The Committee appointed by Your Excellency's Order-in-Council on the 9th day of November, 1789, to examine the report of the Land Committee of the 7th August in the same year on a claim of Messrs. Curotte to the Grande Isle, opposite Kataracoui, with the opinions of the Attorney and Solicitor-General, and other papers annexed thereto;

Messrs. Dunn and Mabane, the members of the Committee residing in Quebec, having duly considered the same, and the report of Messrs. De Belestre, Fraser and De Longueuil, the members residing in Montreal, delivered to the Chairman on the 18th of last month, in the following words:

We have attentively perused the claim of Messrs. Curotte to the Grand Isle opposite Cataracoui and to the Village Lot, with the opinion of the Attorney and Solicitor-General, and other papers and opinions thereto annexed, and we then proceeded agreeable to Your Excellency's reference to consider the report

of the Land Committee thereon, and we now after mature consideration report that we are of the same opinion with the Land Committee, as no concession or grant reverts to the grantor unless the failure of the conditions is ascertained by legal process and followed by a judgment of reunion, which usage, custom and law is fully stated in the answer of Messrs. Curotte to the opinion of the Attorney and Solicitor-General and some of us from experience are convinced of the wisdom of such process, as guarding against surprise and misrepresentation, attempts having been made to reunite where there was no failure of the condition, and on such process the grantee has still an opportunity of complying with the condition, and then *Mora purgatio admittitur celeri prestatione Rei*, the delay or failure is wiped off by an immediate diligence.

Montreal, 24 September, 1790. (Signed) PICOTTEE DE BELESTRE, T. FRASER, J'H DE LONGUEUIL.

The Committee are of opinion that (notwithstanding the stipulation in the Arrêt of the Council of the French King of the 13th May, 1675, that at the expiration of twenty years His Majesty might dispose of such of the lands granted to Monsieur De La Salle as should not then be cultivated) such lands are not revested in the Crown or the seignor, so as to entitle either to regrant the same unless the failure of the conditions to be performed by the grantee has been first ascertained by legal process and a judgment of reunion obtained thereon. All which is nevertheless humbly submitted to Your Lordship's wisdom. (Signed) THOM'S DUNN, Chairman.

Council Chamber, 9th November, 1790.

Referred to a Committee of the whole Council with liberty to hear the party, and the Attorney and Solicitor-General, publicly, and to send for papers and records, and report the result, with their opinion thereon.

Tuesday, the 4th of January, 1791.

At the Council Chamber, in the Bishop's Palace.

Present: His Excellency The Right Honourable Guy, Lord Dorchester; The Honourable Alured Clarke, Esquire, Lieutenant-Governor; The Honourable William Smith, Esquire, Chief Justice, and The Honourable Hugh Finlay, George Pownall, Thomas Dunn, Henry Caldwell, Edward Harrison, William Grant, John Collins, Francis Baby, Adam Mabane, Cha's De Lanaudiere, J. G. C. Delery, Le Comte Dupré, Esquires.

Read the report of Messrs. Finlay, Collins and Grant on His Excellency's reference to the Land Committee for the examination of the monthly progress of the Surveyor-General's Office, upon the plans of the Province:

May it please Your Lordship: The Deputy Surveyor-General, Mr. Collins, on the requisition of this Committee, laid before them several plans of different parts of the Province, viz.:

Three plans, one of Luneburg, one of Mecklenburg, and one of Nassau, finished, pasted on linen, and fixed to rollers, for the use of His Excellency the Governor and Council, all signed by the Surveyor and Deputy Surveyor-General.

A plan of that part of the Province which lies between Detroit and the Island of Bic, for the use of His Majesty's Secretary of State, complete, signed by the Surveyor-General and Deputy Surveyor-General.

A continuation of the lower parts of Canada from Bic to the Gulph of St. Lawrence, including Gaspé and Chaleurs Bays in some forwardness.

A plan of the District of Quebec, one of the District of Montreal, and one of the District of Three Rivers, in great forwardness, and may soon be completed; the boundaries of the parishes are not marked upon these plans, the Deputy

Surveyor-General declaring that it is impossible to lay them down from the descriptions of their boundaries furnished by the respective curates, and put into his hands by the Committee appointed to report to Your Excellency a list of the parishes, and further adds that he is not possessed of any other materials to direct him in that work.

Two plans were next exhibited of part of the Province upon which are laid down the seigneuries and other possessions held by the Jesuits, which may soon be finished, and last, a plan of the ground reserved at Niagara for public uses, not finished.

HUGH FINLAY, in the Chair.

Quebec, 22d October, 1790.

His Lordship informed the Board that a map of the Province compiled in the Surveyor-General's Office pursuant to the Order of the 22d February last has been transmitted to His Majesty's Secretary of State, together with a schedule of the plans in the office of Surveyor-General, to the intent that His Majesty's Ministers may be enabled to direct the transmission of copies of such of them as they may think necessary.

A duplicate of the schedule was then read in the following words:

List of plans in the Surveyor-General's Office, Quebec, 12th November, 1790:

Boundary between the Province of Quebec and New York; scale, 6 miles to 1 inch.
 Plan of the Province from Coudre to the Cedars, 2 miles to 1 inch (3 copies).
 Ditto of the Upper Lakes, 10 marine leagues.
 Survey from Lancaster to the River Trent, 2 miles to one inch.
 Grande River to Lake Huron, 6 miles to 1 inch.
 Lake St. Francis to Three Rivers with Lake Champlain, $4\frac{1}{2}$ miles to 1 inch.
 St. Lawrence from Tadousac to Masquinongé, 6 miles to 1 inch.
 River Ristigouche, 1 mile to one inch.
 Lake Champlain $4\frac{1}{2}$ miles to one inch (2 copies).
 From Oswegatche to Cataraqui, $\frac{1}{2}$ mile to one inch.
 From L'Assomption to Oswegatchie, 2 miles to one inch.
 Cataraqui, now Kingstown, $\frac{1}{2}$ mile to one inch.
 Lake Erie, Detroit River, &c., sketch, 15 miles to one inch.
 American Purchase on Is., Lake Ontario and the Genesee River, 200 ch's to one inch.
 American Map of Kentucke, 1 mile to one inch.
 Pond's Map of the Upper Country, sketch.
 Projects for laying out Inland Townships, $\frac{1}{2}$ mile to one inch.
 Ditto for a Lake or River, $\frac{1}{2}$ mile to one inch.
 New York, New Jersey and part of Quebec, sketch.
 Course of the St. Lawrence and River between that and the Hudson River, sketch.
 From Lake Ontario to Lake Erie, 1 mile to one inch.
 Maul Bay, 4,000 feet to one inch.
 Bay Chaleurs, 400 feet to one inch (4 copies).
 Pabos, 2 ch's to one inch.
 North side River Ristigouche, 20 ch's to one inch.
 Harbour and Bay of Gaspé, 1,000 feet to one inch.
 New Carlisle, 40 ch's to one inch (2 copies).
 Port Daniel, 40 ch's to one inch.
 Reserved lands between Carlisle and Hopetown, 6 ch's 32 links to one inch.
 Hopetown, 40 ch's to one inch (3 copies).
 Cox Town, 40 ch's to one inch.
 District of Quebec, 2 miles to one inch.
 From Montreal to Lake Ontario with the Ottawa River, 10 miles to one inch.
 North side Lake Ontario, 12 miles to one inch.
 Coteau de Lac, 2 arpents to one inch.
 Town of Quebec, 10 toises to one inch.
 Batiscan to Pearsley Point, 6 miles to one inch.
 Coudre and St. Paul's Bay, 20 ch's to one inch (2 copies).
 Plan of Operations in 1759, 800 feet to one inch.
 Meridian Line at Quebec, 4 ch's to one inch (2 copies).
 Claims in Quebec, 10 toises to one inch (3 copies).
 Plains of Abraham, 800 feet to one inch.
 Nouvelle Beauce, 2 miles to one inch.

Communication between River Du Loup and Lake Temiscouata, 2 miles to one inch.
 Part of Quebec, 10 toises to one inch (4 copies).
 Quebec, unfinished, 10 toises to one inch.
 District of Three Rivers, 2 miles to one inch.
 River Yamaska, 2 miles to one inch.
 River St. Francis, 200 French feet to one inch.
 River St. Maurice, sketch.
 Entrance of Yamaska, 2 miles to one inch.
 Lake St. Peters, $\frac{1}{2}$ mile to one inch.
 Chambly and Yamaska River, 10 arpents to one inch.
 District of Montreal, 2 miles to one inch.
 William Henry, 100 feet to one inch (3 copies).
 Fauxbourg de St. Laurent, 40 toises to one inch.
 Chateauguay River, 200 perch to one inch.
 La Prairie, $\frac{1}{8}$ of a league.
 Vacant lands between the Seigneuries of Sorel River and those on the St. Lawrence, 2 miles to one inch.
 Lands of the General Hospital, 40 toises to one inch.
 Lake St. Louis, 200 perch to one inch.
 Seigneurie of Sorel, 10 arpents to one inch.
 From Lanauraic to Lake of the Two Mountains, 2 miles to one inch.
 District of Lunenburg, 2 miles to one inch.
 Lancaster, 40 ch's to one inch (3 copies).
 Leeds and Lansdown, 40 ch's to one inch.
 Niagara River, 1 mile to one inch.
 Eight townships from Pointe Bodet to Oswegatchie, 2 miles to one inch.
 Johnstown near Edwardsburg, 200 feet to one inch.
 Caermarthen, 40 ch's to one inch (2 copies).
 Suffolk, 40 ch's to one inch (2 copies).
 From Point Bodet to head of Long Sault, 40 ch's to one inch.
 Charlottenburg, 40 ch's to one inch.
 Cornwall, 40 ch's to one inch.
 Oznabruck, 40 ch's to one inch.
 Williamsburg, 40 ch's to one inch.
 Matilda, 40 ch's to one inch.
 Townships from River au Raisin to head of Long Sault, 40 ch's to one inch.
 Augusta, 40 ch's to one inch (2 copies).
 Elizabeth Town, 40 ch's to one inch (2 copies).
 River Rideau, 2 miles to one inch.
 Line from Charlottenburg to Grand River, 2 miles to one inch.
 Plan of the Upper Settlements, 40 ch's to one inch.
 Grand River, 2 miles to one inch (4 copies).
 Lake St. Francis, 20 chains to one inch.
 District of Mecklenburg, 2 miles to one inch.
 Kingstown and Camden, 40 ch's to one inch.
 Marysburg, Sophiasburg and Amiliaburg, 40 ch's to one inch (2 copies).
 Points Frederick and Henry, 200 feet to one inch.
 Ernest Town, 40 ch's to one inch.
 Isle Tonté, $\frac{1}{2}$ mile to one inch.
 Kingstown, 40 ch's to one inch.
 Adolphus Town, 40 ch's to one inch (4 copies).
 Fredericksburg, 40 ch's to one inch.
 Sidney and Thurlow, 40 ch's to one inch (2 copies).
 Richmond and Camden, 40 ch's to one inch (2 copies).
 Fort Frontenac with Kingstown, 40 ch's to one inch.
 Entrance of Lake Ontario, 1 mile to one inch.
 Original Survey of Bay of Quinte, 2 miles to one inch.
 Pittsburg, 40 ch's to one inch.
 District of Nassau, 2 miles to one inch.
 Original Survey of Nassau, 2 miles to one inch.
 Nine townships on the head of Lake Ontario and Niagara River, 1 mile to one inch.
 Townships from head of Lake Ontario to Lake Erie, 1 mile to one inch.
 Toronto, $\frac{1}{4}$ mile to one inch.
 Fort Erie Township, 40 ch's to one inch.
 A road from Corteau de Lac to Kingstown, 1 mile to one inch.
 Returned into the office by William Chewet, his field book and journal for the year 1788; by Mr. Rankin, field book and journal for 1789; by Mr. Pennoyer, field book and journal for 1789 and 1790.

(Signed) SAMUEL HOLLAND, Surv'r-General.

JOHN COLLINS, D.S.G.

Read also a representation of the Surveyor-General, a copy of which His Lordship informed the Board had been transmitted to England at the same time, in the following words:

Quebec, November 1st, 1790.

My Lord: The great attention Your Lordship has been pleased to bestow in collecting the several plans and surveys of this Province encourages me in taking the liberty of representing to Your Excellency that in order to compleat this most serviceable undertaking the principal and original plans are wanting, which I have great expectation might by Your Lordship's interference be recovered; they were left in the care of Major Debarres in May 1776, by me, on being ordered suddenly from London to Portsmouth to embark for America; my remaining some time at Portsmouth windbound afforded me opportunities of writing for them, but without effect, since which at different periods I made frequent applications but with no better success.

In answer to my personal informations made last year to Major Desbarres, who I frequently met in London, learnt that the several plans he had from me, together with his plates and engravings, were detained at the Custom House from whence through the Channel of Your Lordship's influence I found my hopes of their being regained.

The plans which I conceive to be of the greatest utility to the Province and left in his possession among many others (my plans and surveys of British America, and the United States) are:

First.—A map of the settled part of the Province in three parts to a scale of 4,000 feet to an inch.

Second.—The River St. Lawrence as far as the Gulph including the Island of Anticosti, Chaleurs Bay on the south side and the Coast of Mingan on the north, in three parts, with all the soundings and nautical remarks by a scale of 2 miles to one inch.

Third.—A plan of the City of Quebec with its environs by a scale of 2,000 feet to one inch.

Fourth.—General Wolfe's Campaign of 1759.

Fifth.—The plan of Three Rivers to the Forges; also a plan of Montreal and its environs, the whole by a scale of 2,000 feet to one inch.

Humbly submitting the above with all due deference to your Excellency's consideration, I have the honor to remain, My Lord: Your Lordship's most devoted and obedient humble Servant, (Signed) SAMUEL HOLLAND.

Ordered that the Land Committee inspect the maps, plans, surveys, field books and papers touching the credit and authenticity of any particular surveys belonging to the Surveyor-General's Office concerning the disposition and arrangement of which they are to make report, with their opinion of such regulations as they may conceive most expedient to answer the purpose of their preservation, and of opening a cheap and easy access to them for the benefit of the public.

And as soon as may be after the first of May and the first of November in every year, the Land Committee are to make like reports noting any additions of maps, surveys, or other papers of the description aforementioned, which may have been acquired in the course of the six months then next preceding.

And in respect of the increase of the business of the Surveyor-General's Office, and the necessity of performing all surveys with due accuracy, the Land Committee are also charged to report a list of the instruments remaining in that office or in the hands of the several Deputy Surveyors, distinguishing those appurtenant to the office, from such as may be private property, and whether any and what kind of instruments may be wanted for the better execution of the work of that department, together with an estimate of the probable expense of supplying the deficiency.

Read the report of the Land Committee (present: Messrs. Finlay, Collins and Caldwell) to whom was referred a letter from the Chairman of the Land Office Board for the District of Lunenburg.

May it please Your Excellency: In obedience to Your Lordship's commands this Committee considered the letter of Richard Duncan, Esq., Chairman of the Land Office Board for the District of Lunenburg, together with the papers accompanying it, and they humbly beg leave to refer Your Excellency to the annexed Journal stating their opinion on the different matters contained in the said letter, which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 23d June, 1790.

Journal of the Land Committee of Friday, 5th March, 1790.

Present: Messrs. Finlay, Collins and Caldwell.

Read a letter from Richard Duncan, Esq., Chairman of the Land Office Board for the District of Lunenburg, dated the 24th of November last, and referred the 27th February, stating that the board wish to call in all the old certificates that have been issued by that board and addressed to the surveyors, that they may be renewed in the form of the certificate pointed out in the Regulations of the 17th of February, 1789.

This Committee see no objection to the foregoing proposal of the Board of Lunenburg.

The Deputy Surveyor-General observes on that part of the letter which states that the board have understood that it has been reported to His Excellency Lord Dorchester that all the concessions in the different townships had been run out by the surveyors but it is not so, as he informs the Committee for on the 15th of May, 1788 (as he sets forth), he had the honour to deliver his opinion on that business to Lord Dorchester in a paper entitled Abstract of Surveys necessary to be made to complete the Loyalists' Settlements, a work which he at that time conceived requisite to be done so far as to run the side lines of townships and the back boundary of every range of concessions to prevent confusion which he apprehended would arise from the neglect of that precaution and which yet at this day he thinks may happen if that work shall be left undone.

The Committee here note that in Council on the 30th day of June, 1788, Mr. Collins, the Deputy Surveyor-General's proposal as above stated, was not considered to be necessary and it was rejected, seeing it would be attended with expense in concurrence with the opinion of a special committee who had reported thereon.

The Land Office Board of Lunenburg recommend that roads may be opened to lead to the back concessions.

The Committee consider that the proposal, if it could be executed, would greatly advance the settlements in Lunenburg, but as it cannot be done but at great expense to government the Committee cannot at present recommend it.

Proceeded to read a paper referred to in the letter from the Land Office Board of Lunenburg, written by the Deputy Surveyor for that district (Mr. Chewet), relative to concessions that have been located but not surveyed, together with other observations, and on the first Mr. Collins observes that it is true that in the Townships of Charlottenburg, Cornwall, Oznabruck, Williamsburg, Matilda, Edwardsburg, Augusta and Elizabeth Town the lines have not been run, and that they must so remain under the present existing resolve of Council of the 30th day of June already mentioned by him.

Mr. Chewet sets forth the irregularity of the concessions which lie between Elizabeth Town and the Township of Pittsburg, and on examining the survey which Mr. Collins produced, the Committee on the face of the plan perceived the errors taken notice of by Mr. Chewet, which, however, may be easily rectified by running the line which is to ascertain the depth of the front concessions at $33\frac{1}{2}$ acres parallel to the front of the township, and as for the townships between Lansdown and Elizabeth Town, the Committee conceive a resurvey to be necessary, that their front lines may run parallel to the Great River; and as by that amendment there will remain a triangular tract between Lansdown and the township immediately below it; it may be added to Lansdown.

Mr. Chewet expresses apprehensions that the boundaries of the several townships which have been run by the compass will not be easily ascertained hereafter in case of need, whence great disputes may arise among the proprietors in the townships so run, if it shall be supposed by the surveyor that the variation had been accounted for.

To guard against inconveniences of that nature the Committee humbly recommend that a meridian line be fixed as near the center of every district as may conveniently be, where the surveyors may adjust their instruments.

Upon a supposition of the Board of Luneburg that Mr. McNiff, the Deputy Surveyor, may have certain surveys in his possession which may give light to the board, this Committee presume that on an Order from the Surveyor-General's Office to Mr. McNiff he will transmit to the Chairman of the board at Luneburg all such plans and draughts in his keeping as may be useful to the board together with every information he may be able to give them respecting locations and other land matters.

HUGH FINLAY, in the Chair.

Quebec, 23d June, 1790.

Read the report of the Committee of the whole Council (consisting of His Honour the Lieutenant-Governor, the Chief Justice, Messrs. Finlay, Dunn, Harrison, Collins, Delery, Pownall, Grant, Baby, De Lanaudiere and Dupré) to whom was referred the report of the Land Committee of the 23d of June upon a letter from the Chairman of the Land Office Board for the District of Luneburg.

May it please Your Lordship: The Committee of the whole Council having read the report of the Land Committee referred to them by Your Excellency resolved: That it is expedient to transmit a copy of the report of the Land Committee to the Land Board of Luneburg.

That the Surveyor-General's Office do exhibit plans of the outlines of such a range of townships on the River Rideau as the Land Board of Luneburg may recommend as most convenient to the settlers in that country.

That it be recommended to the consideration of the Land Board of Luneburg to report whether it may not be practicable for the settlers of any township to accomplish the subdivision and survey thereof by surveyors of their own appointment, under general directions to be issued by the Surveyor-General's Office in conformity to the general instructions relative to the disposition of the waste lands of the Crown.

That the Clerk of the Council be directed to transmit a copy of the report of the Land Committee together with a copy of the foregoing resolve to the Land Board of Luneburg for their report thereon.

All which is submitted to Your Lordship's great wisdom.

ALURED CLARKE, President.

Quebec, 27th October, 1790.

Read the following report of the Committee of the whole Council on the report of the Land Committee of the 24th of June last.

May it please Your Lordship: The annexed minute of the proceedings of the Committee of the whole Council on Your Lordship's reference of the report of the Land Committee of the 24th of June states the course which appears to them the most advisable to be followed on the several matters therein contained. Which is nevertheless submitted to Your Lordship's great wisdom.

ALURED CLARKE, President.

Qubec, 27th October, 1790.

Council Chamber, Bishop's Palace, Quebec, 27th of October, 1790.

In Committee of the whole Council. Present: His Honour Major-General Clarke, Lieutenant-Governor; The Chief Justice, Messrs. Finlay, Pownall, Dunn, Grant, Harrison, Baby, Collins, De Lanaudiere, Delery and Dupré.

Read His Excellency Lord Dorchester's Order and reference of the remainder of the report of the Land Committee of the 24th of June last as follows:

His Lordship caused the Order of the 22d of October, 1788, alluded to in the foregoing report to be read, and the same appearing to require explanation, it was declared by His Lordship with the concurrence of the Council that the benefits intended by the said Order are to extend to all reduced officers without distinction of corps who being entitled to land as such under the King's Instructions of 1783, had actually obtained and improved the same previous to the aforementioned order of the 22d October, 1788.

Ordered by His Lordship with the advice of the Council that the Surveyor-General issue a Certificate of Occupation in the usual form to Joseph Dejarlais for the Lot No. 35 containing one hundred acres in the second concession of the Canadian settlement on the Lake St. Francis in lieu of the half of No. 3, cancelling the certificate issued for the same and marking it vacant. Ordered also by His Lordship, with the advice of the Board that the remainder of the matters contained in the foregoing report be referred to a Committee of the whole Council.

Read also a letter from John Collins, Esquire, to Mr. Secretary Motz dated 30 June last.

Resolved, That it appears to the Committee to be expedient to suspend any decision on the several matters in the report of the Land Committee, until the several Land Boards of Lunenburg and Mecklenburg have had opportunity to make such further communication as they may conceive proper, and that the Clerk of the Council with the report to each also transmit a copy of the Order of reference and of Mr. Collins' letter to Mr. Motz.

ALURED CLARKE, President.

Following is a copy of Mr. Collins's letter mentioned in this report, viz.: Sir: Please have the goodness to state to His Excellency Lord Dorchester that in the year 1784 I assigned to Alexander Macdonell a lot of land, to begin two miles below the eastern point of the mouth of the River Cataragui, I believe it consisted of 200 acres, and in the year 1787 I examined the land opposite Kingston in order to have a road of communication traced between that town and the settlements below, and I found upon examination that the lot marked on the Plan No. 20 was the most proper part for that purpose. Mr. Cartwright, Sen., a very worthy and deserving loyalist, proposed building on the lot and keeping a ferry across the river, for which purpose I gave him a certificate of location.

I am persuaded if that lot is wanted for the use of Government, Mr. Cartwright will cheerfully give it up. He may be recompensed if His Lordship pleases to approve of it, by having a lot of 200 acres lying not a great distance from the former lot, drawn by Mr. Chewett, and since given up, I do not recollect having given any lot on the River Cataragui to Mr. Aitkin, I find on the plan the proprietor's name of lot No. 10, so much defaced that it is not legible, it is marked "granted," perhaps it may be Mr. Aitkin's.

JOHN COLLINS, D.S.G.

30th June, 1790.

Henry Motz, Esq.

His Lordship taking the said report into consideration is pleased, with the advice of the Council, to approve of the course therein recommended to be taken, and to order as it is hereby ordered that the same be carried into execution accordingly.

Read the following report of the Committee of the whole Council on the report of the Land Committee of the 28th June last (1790) in the following words, viz.:

To His Excellency The Right Honourable Lord Dorchester, Governor-General of the Provinces of Quebec, &c.

Report of the Committee of the whole Council (consisting of His Honour The Lieutenant-Governor, the Chief Justice, Messrs. Finlay, Dunn, Harrison, Collins, Delery, Pownall, Grant, Baby, De Lanaudiere and Dupré) to whom was referred the report of the Land Committee of the 28th of June last.

May it please Your Excellency: In obedience to Your Lordship's commands the Committee of the whole Council have considered the report of the Land Committee of the 28th June, and have resolved to concur with that Committee on all the points in their report expressed, except as to the prayer of the petitions of Pierre Francois, Charles Francois and the Widow Lee, which they unanimously conceive ought not to be granted. Which is nevertheless submitted to Your Lordship's great wisdom.

ALURED CLARKE, PRESIDENT.

Council Chamber, Bishop's Palace,
Quebec, 27th October, 1790.

Read the following report of the Committee of the whole Council on the report of the Land Committee of the 15th of July, 1790.

May it please Your Excellency: The Committee of the whole Council concur with the Land Committee in their report to Your Lordship of the 15th of last July, on the expediency of laying out townships upon the Rivers Rideau and Petite Nation, as proposed by the Land Office Board of Lunenburg, and they likewise occur in recommending Messrs. Rankin and Depencier to be assistant Surveyors for that district. All which is nevertheless humbly submitted to Your Lordship's wisdom.

ALURED CLARKE, Chairman.

Quebec, 15th Dec., 1790.

Read the said report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) on the reference of a letter from the Land Office Board for the District of Lunenburg, applying for aid in the Surveying Department there.

May it please Your Excellency: in obedience to Your Lordship's Order of reference, the Committee duly considered the letter from the Land Office Board

for Luneburg, dated the 24th June and addressed to Mr. Secretary Motz, stating that if it shall please Your Excellency to approve of their proposal to lay out new townships on the Rivers Rideau and Petite Nation, another surveyor will be necessary to assist Mr. Chewet, and they recommend Mr. Hugh McDonell for that service; and they are further of opinion that even a second assistant will be requisite considering the business to be done in the district, and they recommend Mr. Depencier who was employed last year in surveying.

The Surveyor-General's Office upon communication of the letter from the Land Board of Luneburg observed that as Mr. Rankin was employed last summer in laying out the lands on the Rivers Ottawa and Rideaux, he is considered to be the fittest person to perform that service, and with respect to Mr. Depencier, recommended by the board at Luneburg, no reason appears why he may not be employed.

The Committee concur in the expediency of laying out the townships recommended by the Board, and if it shall please Your Lordship to approve thereof, more aid will be necessary in the Surveying Department in that district, and they join the Surveyor-General's Office in recommending Mr. Rankin and Mr. Depencier as Assistants. All which is nevertheless humbly submitted to Your Excellency's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 15th July, 1890.

Messrs. Jessup: Read the report of the Land Committee (present, Messrs. Finlay, Collins and Grant) on the petition of Major Edward Jessup of the late Loyal Rangers, on behalf of himself and Lieut. Edward Jessup of the same Corps, and Mr. James Walker, Surgeon's Mate, of the late 84th Regiment, referred to this Committee as far as relates to the claims of Major Jessup and Lieut. Jessup.

May it please Your Lordship: The petition states that eighteen hundred acres of land remain yet to be granted to Lieut. Edward Jessup as a reduced subaltern, in consequence of Your Lordship's Order in Council of the 22d October, 1788, putting the officers of discharged Provincial Corps on a footing with the officers of the late 84th Regt.; and it further states that Major Jessup has a claim for three thousand eight hundred acres on the same account, and in proof thereof he produced certificates from the Land Office Board of Luneburg.

It appears that Lieut. Jessup has drawn Lot No. 26 in the First Concession, and Lot No. 26 in the Second Concession in Township No. 4 at the River Petite Nation on the south side of the Uttawais River in part of the 1800 acres, due to him, and includes the land he has prayed for on the first fall in the River Petite Nation. He requests that the remaining fourteen hundred acres may be laid off for him on the west side of the second fall in the River Petite Nation so as that the waters of that fall may wash some part of his land, and Major Jessup prays that the three thousand eight hundred acres due to him may be laid off on the east or opposite side of the same (second) fall, to begin at the south westernmost corner of a lot in that concession in which the said fall may be found, and running thence northerly sixty-six acres and two-thirds of an acre by the number of lots required to make up three thousand eight hundred acres.

The petitioners further pray for permission to build mills on such parts of the first and second fall, within the limits of their respective grants, as they may find convenient for that purpose.

The Committee in obedience to Your Excellency's Order of reference desired Major Jessup to give in his proposals relative to building mills at the

places mentioned in the petition which he did at the table, in writing, and they are hereunto annexed, obliging himself and Lieut. Jessup to build a grist mill on each of the falls in four years, and a saw mill on each in three years, or sooner, if twenty families shall be settled in the township where the lands are situated.

The Committee having considered the whole matter stated in the petition, together with Major Jessup's proposal, are of opinion that their request for the lands on the second fall may be granted; and as it appears to the Committee that advantages would arise to the public from mills to be built on the first and second fall of the River Petite Nation in the time proposed by Major Jessup, the Committee see no reason why the permission prayed for by the petitioners may not be granted, on condition that if the mills shall not be built within the time proposed the mill-steads together with two acres of land lying conveniently contiguous thereto shall revert to the Crown, and necessary ways shall be left open leading to the mills, if afterwards they may be built by other grantees of the Crown. All which is nevertheless most humbly submitted to Your Lordship's wisdom.

HUGH FINLAY, in the Chair.

Council Chamber, Bishop's Palace,
Quebec, 17th Decem., 1790.

MAJOR JESSUP'S PROPOSALS

Quebec, 17th December, 1790.

Sir: Agreeable to the direction of the Committee that I should make my proposals on the following business, I beg leave to acquaint you that on condition of the conveniences for building mills on the second falls of the Petite Nation and the lands on which they lay being granted to me, I will engage to build a saw mill thereon within three years, and a grist mill within four years from the time of the necessary surveys and titles being made, or when there shall be twenty families settled in the township in which they lay. And I also will engage that my son, Lieut. Edward Jessup, do build a saw mill and grist mill on the first falls of the said River Petite Nation within the said town on condition of like grants being made to him. I am with respect, Sir, Your most obedient, humble Servant. (Signed) EDWARD JESSUP.

The Honourable Hugh Finlay,
President of the Land Committee.

Ordered that the Surveyor-General return a survey of the lands advised to be granted to the petitioners, discriminating the places fit for the erection of mills with two hundred acres contiguous to each, to the intent that the Royal Grants may contain such conditions relative thereto as may effectually secure the construction and due maintenance of the intended mills, and that in default thereof they may as forfeited be subject to the regrant of the Crown.

Friday, the 28th of January, 1791.

At the Council Chamber, in the Bishop's Palace.

Present: His Excellency The Right Honourable Guy Lord Dorchester, Governor; The Honourable Alured Clarke, Esq., Lieutenant-Governor, The Honourable William Smith, Esq., Chief Justice, and The Honourable Hugh

Finlay, Henry Caldwell, Edward Harrison, William Grant, John Collins, Francis Baby, J. G. C. Delery, Charles De Lanaudiere, George Pownall, Le Co'te Dupré, Esquires.

Read a statement of the business proposed by the Surveyor-General's Department for the ensuing season, with an estimate of the expense. Ordered, that it be referred to a Committee of the whole Council.

Thursday, the 3rd February, 1791.

At the Council Chamber in the Bishop's Palace.

Present: His Excellency The Right Honourable Guy Lord Dorchester, Governor; The Honourable Alured Clarke, Esq., Lieutenant-Governor; The Honourable William Smith, Esq., Chief Justice, and The Honourable Hugh Finlay, Henry Caldwell, Edward Harrison, William Grant, John Collins, Francis Baby, J. G. C. Delery, Samuel Holland, George Pownall, Cha's. De Lanaudiere, Esquires.

Read the State and Estimate of the Expense of business proposed to be done by the Surveyor-General's Department in the ensuing season, and the report of the Committee of the whole Council thereon in the following words:

State of Business proposed by the Surveyor-General's Department for the ensuing season:

DISTRICT OF LUNEBURG:

1st. To compleat the survey of all the townships fronting on the River St. Lawrence in the said district by extending the lines on the east and west sides, the distance of twelve miles in depth, including such part as has been already surveyed, and fix the boundaries of the interior lots.

2nd. To survey and lay out a township fronting on the north boundary of Charlottenburg, the same to be divided into lots of 200 acres each, to satisfy the inhabitants of Charlottenburg, to whom it is under certificates.

3d. To lay out a township fronting on the north boundary of Cornwall divided into lots as above to satisfy the inhabitants of Cornwall to whom the greatest part of it is under certificates.

4th. To survey and lay out a township on the Petite Nation, to satisfy Major Jessup and others who wish to settle there.

5th. To lay out a township fronting on the north boundary of Elizabeth Town, to satisfy the officers of Sir John Johnson's corps, and others that may wish to settle there.

6th. To survey and lay out a township between the south and west branches of the River Rideau to satisfy the officers and others of Edwardsburg, Augusta and Elizabeth Town, who are desirous of settling there.

7th. To survey and lay out a township on the west side of the River Rideau above the junction of the two branches to satisfy a number of loyalists recommended by the Board of Lunenburg, and impatiently waiting to begin their settlement.

8th. To survey and run the division line between the Districts of Lunenburg and Mecklenburg from the mouth of the River Gananocque, now the Thames, to the shore of the Ottawa River.

DISTRICT OF MECKLENBURG:

9th. To survey and mark the front lines of four townships, one on a lake adjoining the Township of Camden, one on the north of Kingston, and two in the intermediate space between the above mentioned, and to carry the side lines of each township back one mile well marked, and likewise to survey and run the second and third concession lines in the Townships of Marysburg, Sophiasburg and Ameliasburg, and to fix the boundaries of the several lots in the said concessions.

DISTRICT OF NASSAU:

10th. To survey and mark the front lines of townships from the eastern boundary of the District of Toronto, and to carry the side lines of each township back one mile well marked, and likewise to lay out a Town at Niagara, agreeable to the proposed plan sent up for that purpose.

It is proposed that in a township of twelve miles, containing nine concessions in depth, where the front line is already ascertained, it will only be requisite to run the third concession line, the 5th, the 7th, the 9th, and the back boundary line of the township which will be a saving to Government of one-half of the work. Which is humbly submitted for Your Lordship's consideration.

JOHN COLLINS, D.S.G.

Quebec, 25th January, 1791.

It is proposed that four surveyors with a party of ten men each will be sufficient to compleat the business of Luneburg during the summer.

That the Surveyor of Mecklenburg is sufficient to compleat the business of that district.

That the Surveyor His Excellency the Governor shall be pleased to appoint for the District of Nassau will be sufficient to compleat the business proposed for that district.

JOHN COLLINS, D.S.G.

Estimate of expenses it will necessarily require to execute the proposed surveys:

DISTRICT OF LUNEBURG

Lancaster, Charlottenburg, Cornwall: 1 Surveyor, 60 days at 8/9 per day, £26, 5; 10 men, 60 days @ 2/9 per day, £82, 10.

Oznabrock, Williamsburg, Matilda: 1 Surveyor, 50 days @ 8/9 per day, £21, 17/6; 10 men, 50 days @ 2/9 each, £68, 15.

Edwardsburg, Augusta, Elizabeth Town: 1 Surveyor, 100 days @ 8/9 per day, £43, 15. 10 men, 100 days @ 2/9 per day, £137, 10.

Leeds and Lansdown: 1 Surveyor, 44 days @ 8/9 per day, £19, 5; 10 men, 44 days @ 2/9 per day, £60, 10.

To lay out six new townships in the District of Luneburg: 1 Surveyor, 300 days @ 8/9 per day, £131, 5; 10 men, 300 days @ 2/9 per day, £412, 10.

To survey and mark the division line between the Districts of Luneburg and Mecklenburg: 1 Surveyor, 30 days @ 8/9 per day, £13, 2/6; 10 men, 30 days each @ 2/9 per day, £41, 5.

DISTRICT OF MECKLENBURG

To survey and mark the front lines of four townships and carry the side lines of each back one mile well marked: 1 Surveyor, 60 days @ 7/6 per day, £22, 10; 10 men, 60 days ea. @ 1/4 per day, £40.

To survey and mark the second and third concession lines in the Townships of Marysburg, Sophiasburg and Ameliasburg: 1 Surveyor, 60 days @ 7/6, £22, 10; 10 men, 60 days ea. @ 1/4, £40.

DISTRICT OF NASSAU

To survey and mark the front lines of townships from the District of Mecklenburg to Toronto and to carry the side lines of each township back one mile well marked: 1 Surveyor, 60 days @ 7/6 per day, £22, 10; 10 men, 60 days ea. @ 1/4 per day, £62, 10.

To survey and lay out a Town at Niagara: 1 Surveyor, 60 days @ 7/6 per day, £22, 10; 10 men, 60 days @ 1/4 per day, £62, 10. Total, £1,353, 10.

All which is humbly for Your Lordship's consideration.

JOHN COLLINS, D.S.G.

Quebec, 25th January, 1791.

THE REPORT

To His Excellency The Right Honourable Lord Dorchester, Governor of the Provinces of Quebec, &c.

May it please Your Lordship: The Committee of the whole Council in obedience to Your Excellency's reference of the 28th January have taken into consideration the statement of the business proposed by the Surveyor-General's Department for the ensuing season, together with an estimate of the expense, and beg leave to refer Your Lordship to the minute hereunto annexed for their opinion relative to the business referred. All which is nevertheless humbly submitted to Your Lordship's great wisdom.

ALURED CLARKE, Chairman.

Quebec, 2d Feb., 1791.

Council Chamber, Bishop's Palace, Quebec, 2nd February, 1791.

At a Committee of the whole Council, at which there were present His Honour Major General Clarke, Lieutenant-Governor; The Chief Justice, Messrs. Finlay, Caldwell, Harrison, Grant, Collins, Baby, Delery, Holland, Pownall and De Lanaudiere.

Read Lord Dorchester's reference to this Committee the 28th January, as follows:

A statement of the business proposed by the Surveyor-General's Department for the ensuing season with an estimate of the expense. Ordered that it be referred to a Committee of the whole Council.

Read a paper dated the 25th of January, 1791, and signed by John Collins, Esquire, the Deputy Surveyor-General, intituled State of business proposed by the Surveyor-General's Department for the ensuing season.

Then read an estimate of the expenses that will be necessarily required to execute the proposed surveys amounting to one thousand three hundred and fifty-three pounds ten shillings; likewise signed by Mr. Collins, the 25th of January.

Resolved: To concur in the proposals from the Surveyor-General's Office, with condition that no work proceed in the nature of the subdivision of a township into lots, except to such a number and extent as the Land Board of the district shall from time to time to the Deputy Surveyor in writing direct; to the intent that no further expense may be incurred than the utility and exigency of this service may require, and it is expected that the Land Boards will give facility and dispatch to the Deputy Surveyors, and failing therein that they be elsewhere employed in the other work to be performed under instructions they may have received from the Surveyor-General's Office.

ALURED CLARKE, Chairman.

His Lordship, with the advice of the Council, is pleased to approve of the foregoing report of the Committee of the whole Board, and to order hereby that the work, therein recommended be carried into execution accordingly, in as far as proper persons can be found for the service, to which end the Surveyor-General's Office is to report a list of names to His Lordship for his approbation and final orders thereon.

Saturday, 5th March, 1791.

At the Council Chamber in the Bishop's Palace there being present His Excellency, The Right Honourable Lord Dorchester, Governor; The Honourable Alured Clarke, Esq., Lieutenant-Governor, and The Honourable Thomas Dunn, William Grant, Edward Harrison, Francis Baby, John Collins, Adam Mabane, Samuel Holland, J. G. C. Delery, Charles De Lanaudiere, Henry Caldwell, Le Comte Dupré, Esquires.

Read the report of the Land Committee on the memorial of the Deputy Surveyor-General, concerning two new townships proposed to be laid out at the back of Cornwall and Charlottenburg, dated the 22d of February last (1791). Referred to a Committee of the whole Council.

Read the report of the Land Committee on the claims of certain disbanded Rangers and loyalists in Hesse, dated 3d January, 1791. Ordered to be entered.

The report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) upon the reference of sundry papers relative to the transactions of the Land Granting Department in the District of Hesse, as far as concerns the settlement of certain discharged Rangers and others at the mouth of the River Detroit.

May it please Your Lordship: In obedience to Your Lordship's commands this Committee have, at sundry meetings, examined the papers that accompanied Your Excellency's Order of reference of the 20th of last October, which contain the transactions of the Land Office Board for the District of Hesse, between the months of August, 1789, and the 13th of August, 1790; and as a report cannot as yet be made on various matters contained in the papers referred to, the consideration of this Committee, they have concluded to lay before Your Lordship without further delay the situation of certain discharged Rangers, loyalists and others, now residing at and near Detroit, which in the opinion of the Committee presses for immediate relief.

The Land Board of Hesse in their Minute of the 11th of last June have stated that these people had drawn lots of the waste lands of the Crown at the entrance of Detroit River where Government was desirous to promote a settlement.

That after they had received certificates for location, but few of them could proceed to clear their lands from want of provisions and tools which they had been taught to expect from Government.

That those among them who had made no improvement by clearing or otherwise, within the year, were deprived of the lots they had drawn, and they were given to other applicants.

That notwithstanding their disappointments in that quarter, the greatest part of the discharged Rangers are still resident in the Settlement, and that some of them having now the means of improving lands desire to obtain lots at the River La Tranche, not far from the mouth of Detroit River, even without the assistance in provisions and tools which other discharged Provincial troops and loyalists had in the lower parts of the Province, and which they conceive they have yet a right to receive from Government.

The Board of Hesse notes upon their minutes the following opinion:

That (all such) discharged Rangers, loyalists and others who can prove to the board that at the close of the war they were by any general or special order of Government entitled to lands, provisions and tools and did actually forego an establishment with those advantages in Nassau or in any of the lower districts to forward a Settlement at the mouth of the River Detroit, promoted by Government, should now be located and provisioned in the same proportion with those who settled below, and if provisions shall now be granted to persons of the above description, it would conduce much to their true comfort and relief that they be issued only monthly, and upon proof that they are actually improving their lands.

This Committee concurring with the Land Office Board of Hesse are humbly of opinion that the discharged Rangers, loyalists and others situated as has been set forth by the Board of Hesse and whose names have been transmitted by that Board to Mr. Secretary Motz (a copy of which is annexed to this report) may obtain grants of the waste lands of the Crown upon the River La Tranche, or in any other part of the tract ceded to the Crown by the Indians in May last, as they may choose; and that they may further obtain provisions in like proportion with those issued to persons of the same description who settled in the lower districts.

And should other people than those contained in the annexed list claim similar assistance on the same grounds, the Committee humbly submit to Your Lordship, whether the Commissary of Provisions may not have authority, upon certificate from the Land Board of Hesse, to serve out provisions to them also. And the Board may be instructed to make a return of the names so added to the list, with the grounds upon which each particular applicant may have obtained certificate from the Board. All which is nevertheless most humbly submitted to Your Excellency's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 3d Jan'y, 1791.

List of the names of discharged Rangers, loyalists and others residing at and near Detroit, applying for lands and provisions referred to in the foregoing report.

Belonging to Col. Butler's Rangers: Sergt. Dan'l Fields, Blacksmith, at Capt. McKee's; Sergt. Dan'l McKillip, Farmer, New Settlement†; Corp. And. Hamilton, Labourer, in this Settlement*; Corp. Edw'd Nevill, Labourer, New Settlement; Samuel Newkirk, Farmer, River La Tranche; Patrick Hill, Labourer, Indian Country; Peter Shonk, Farmer, River La Tranche; Jacob Quant, Labourer,

NOTE.—*The words: In this Settlement, mean the Settlement at Detroit.

†New Settlement, means at the mouth of the Detroit River on Lake Erie.

River La Tranche; Thomas Parsons, Labourer, River La Tranche; Patrick Johnson, Labourer, at Capt. McKee's; Elish Wilcox, Farmer, New Settlement; John Cameron, Farmer, New Settlement; William Memger, Farmer, Gross Island; Leonard Scratch, Farmer, Gross Island; Jacob Seagon, at present down at Niagara; Peter Swarh, Voyager, now at Saginah; John Wright, Labourer, River La Tranche; William Yagor, Farmer, River St. Clair; Nathan Lewis, Labourer, River La Tranche; James Empson, Farmer, River St. Clair; Robert Empson, Labourer, River St. Clair; Benj'n Knap, Farmer, New Settlement; Thomas Decker, Labourer, in this Settlement; John Topp, Labourer, in this Settlement; Joseph Springfield, Labourer, in this Settlement; John Clarwater, Labourer, in this Settlement; Jacob Ruhart, Farmer, New Settlement; John Dalton, Farmer, New Settlement; Jacob Arnold, Farmer, New Settlement; Thomas Williams, Blacksmith, River La Tranche; J. Moss, Labourer, New Settlement; Mat'w Dolson, Volunteer, Tavernkeeper, Detroit.

Names of Three Years' men discharged from 8th Regiment: Sergt. Jas. Donaldson, Publican, Detroit; Sergt. John Doclimuile, Trader, Detroit; Richard Earp, Labourer, New Settlement; J. Achford, Labourer, New Settlement; Wm. Duggan, Clerk, Detroit; T. Hall, Labourer, Detroit; Thomas Kidden, Labourer, Detroit; Edward Reddin, Labourer, Detroit; Joseph Windall, Labourer, Detroit.

Names of men belonging formerly to the 84th Regiment: Joseph Winters, Sailor, Naval Department; Butler, Farmer, New Settlement; Timothy Desmond, Sailor, in the Merchant's Service here; John Clark, Sailor, in the Merchant's Service here; John Ronon, Sailor, in the Merchant's Service here; James Robertson, Sailor, in the Merchant's Service here; James Ruff, Farmer, Gross Island; John Barbo, Butcher, Detroit; John Flynn, Sailor, in the Merchant's Service here; Samuel Hall, Labourer, Detroit; Thomas Kelly, Labourer, Detroit; John Goorn, Labourer, River La Tranche; William Harper, Labourer, River La Tranche; John Embry, Labourer, River La Tranche.

Names of Loyalists: Elisha Wilcox, Farmer, New Settlement. Note: (This man ought to have been put down among the names of Rangers, as he belonged to that corps.) Horikiah Wilcox, Farmer, River La Tranche; Morris Wilcox, Farmer, New Settlement; Josiah Wilcox, Farmer, River La Tranche; Hugh Holmes, Farmer, River La Tranche; John Pike, Farmer, River La Tranche; Robert Pike, Farmer, River La Tranche; Robert Simpless, Farmer, River La Tranche; Gasper Brown, Farmer, River La Tranche; Thomas Clerk, Farmer, River La Tranche; John Hazard, Labourer, River La Tranche; Jacob Hill, Farmer, River La Tranche; Nicholas Seek, Taylor, in this Settlement; Jacob Skeetel, in this Settlement; John Stockwell, Farmer, New Settlement; Jacob Skittle, New Settlement; John Gordon, Farmer, River La Tranche; Thomas McCrea, Taylor, Detroit; Thomas Smith, Publican, Detroit; Isaac Dolson, Farmer, Detroit; Wm. Scott, Sergt., Detroit Volunteers, now a Tavernkeeper in Detroit.

Read the following reports and journals to His Excellency:

The report of the Land Committee consisting of Messrs. Finlay, Collins, Grant and Lanaudiere to whom was referred a letter from the Land Office Board of Mecklenburg, and another from the Board of Luneburg, accompanied with a journal of their proceedings upon the petitions presented to them for grants of the waste lands of the Crown.

May it please Your Excellency: The proceedings of this Committee upon Your Lordship's reference of the 21st of June last, of the reports of the Land Office Boards of Mecklenburg and Luneburg, are contained in the annexed journal;

to which they beg leave to refer Your Excellency; and they humbly submit the whole to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 20th July, 1790.

Journal: At the weekly meeting of the Land Committee on Friday, 2d July, 1790, there being present Messrs. Finlay, Collins and Grant.

Read a letter from the Land Office Board of Mecklenburg to Mr. Secretary Motz, dated at Kingston, the 21st of April, 1790, accompanied with the minutes of that board between the 23d of September last and the 21st April following, together with the original petitions of that period, and with the return of locations made by Mr. Aiken, the surveyor of that district, between the 7th of October, 1789, and the 20th of April, 1790, upon certificates issued from that Board; all which is referred to the consideration of this Committee for report thereon.

The letter contains some remarks on the minutes of Council of the 20th of January last: (1) on the subject of a report from the Board of Mecklenburg of the 23d of September, they think the case of Quarter Master Dies, reported by this Committee on the 25th of November, 1789, deserves to be again considered. The Committee again repeat that Mr. Dies can be put upon no better footing than was the Quarter Master of the 84th Regiment with respect to His Majesty's bounty in lands. On their remark upon what was reported (2) touching Mr. Anderson's claim for an island called Wapoos's, this Committee cannot under the existing arrangements recommend the grant of any island. And upon David Conger's case (3) the Committee are informed by Mr. Collins that he was furnished with ample and satisfactory recommendations from David Colden, Esq., son of Lieutenant-Governor Colden (and other persons well known), that Conger was always a good and faithful loyalist, Mr. Collins without scruple gave him 400 acres, having a wife and seven children, conceiving himself fully authorized so to do, under the instructions from His Excellency Lord Dorchester, and this Committee recommended him for an addition of 200 for himself, but no bounty. The latter likewise states (4): "That the board cannot comply with that part of the Fifth Article of the Regulations of the 17th of Febr'y, 1789, which directs the place of location of all certificates granted by the board to be mentioned, seeing it frequently happens that the petitioner has not fixed on any particular spot, or if he has fixed on a lot it may be found afterwards to be located; so that the place of locating the quantity mentioned in the Board's Certificate is generally left for the surveyor to fill up; it would therefore seem that his (the surveyor's return of the lands granted by him under authority from the board, which will always accompany the board's report) would answer the intended purpose.

By the Fifth Article of the Rules and Regulations of the 17th of February, 1789, the place of location is not required; the respective boards are thereby directed to transmit with the petitions of every period a list expressing the names of the petitioners and the dates of their certificates, and the quantum of the locations.

The board omitted to send a list of the names of the petitioners along with the petitions in the form above described.

The Committee beg leave to suggest an amendment on the petitions, to be returned to the office of the Governor's Secretary. They would recommend that they be regularly numbered, and the name of the district endorsed thereon, the petitioner's name. The report or Book of Minutes of the proceedings in which it is mentioned, to be alphabetically distinguished, and the page of the

report or Book of Minutes, where entered, to be likewise indorsed, together with the number of acres for which the board may have granted certificate to the petitioner.

The number of the petition would likewise be entered on the minute of the board.

In the place of the words "Certificate granted" (on the back of the petition) should the board see fit to reject a petition, the word "Rejected" may be endorsed thereon; and on those upon which the board may conceive themselves to be incompetent (under the instructions) to decide may be indorsed these words, "Referred to His Excellency-in-Council."

It would be desirable to procure a list of all certificates already granted, with their dates, to ascertain the best right, in case of claim by different persons for the same lot; and it does not appear difficult to obtain them by following the mode pointed out by Mr. Collins, the Deputy Surveyor-General, and reported by this Committee the 18th of December, 1789.

The Board of Mecklenburg is in possession of the names of the persons who took the Oath of Allegiance and subscribed the declaration under His Majesty's Instructions of 1783, provided the schedules transmitted to the board from the office of the Governor's Secretary at the opening of the navigation, has reached Kingston.

The plans applied for by the board have been transmitted by the Surveyor-General's Office, except a small part of Marysburg, which was lost by the over-setting of a batteau in the rapids. The Deputy Surveyor-General has wrote to Mr. Aiken, Surveyor of the district, for materials to supply the loss, that it may remain of record here, and a copy be transmitted to the Board of Mecklenburg.

(5) The Committee join the Board in opinion that the additional bounty of 200 acres of land may now be discontinued. The end proposed by His Lordship has been answered, the industrious have applied for and been rewarded by obtaining it. The applications of meritorious and industrious subjects will be attended to by the boards, and reported to His Lordship.

(6) The Committee concur with the board in opinion that those who obtained land as soldiers when yet but boys, upon their settling on their first locations, may obtain certificates for 100 acres more, to put them on a footing with the children of loyalists, under the order of His Excellency-in-Council of the 9th of November last.

(7) The Deputy Surveyor-General observes upon the remark of the Board of Mecklenburg: that some lots upon the plans in their possession are marked with the word "granted" only, without mentioning to whom. That upon examining the original plans, names (as appeared) had been entered, but were not legible; the lots on which such appeared were therefore marked with the word granted, lest they might be granted a second time, excepting the original grantees will come forth with their certificates.

(8) The dimensions of the town lots in Kingston may, under the additional regulation for the conduct of the Land Office Department of the 25th of August, 1789, be regulated by the board there.

At a meeting Friday, 16th July, 1790, there being present Messrs. Finlay, Collins and Grant.

Having gone through the letter from the Mecklenburg Board, the Committee proceeded to examine the minutes which accompanied the letter, together with the petitions therein mentioned for the period between the 23d of September, 1789, and the 21st of April, 1790, likewise a return made of the certificates of

location granted by the surveyor under the authority of the Board of Mecklenburg, between the 7th of October, 1789, and the 20th day of April, 1790.

(9) The Committee concur with the Board in all they have done upon the petitions that were before them now before this Committee, as stated in the minute of their proceedings marked A; but they are of opinion that it may not be necessary in future to enter the names of those who apply to the Board wishing to have their lands in some other district.

(10) The Committee perceive the propriety of the Boards certifying what they know touching the character and pretensions of such petitioners, to give strength to their applications elsewhere.

(11) The Committee also concur with the board in rejecting the petitions of a number of applicants who have without foundation conceived themselves to be entitled to more land than is warranted to be granted by His Excellency's Instructions.

(12) Seventeen petitions transmitted by the board for the decision of His Excellency-in-Council were next considered by the Committee, and first, those of persons who had served as officers in American corps, and have erroneously conceived that it was Lord Dorchester's intention (by His Excellency's Order-in-Council of the 22d of October, 1788) to put the officers of every American corps, settling in this Province, on a footing with the 84th Regt.

The petitioners are:

David McGuin, Lieut. in Colonel Fanning's Corps and afterwards a Captain by Warrant for raising a Company in Delancy's Brigade.

John Josh Harkimer, Commissary in the Indian Department and Captain of Batteaux.

William Atkinson, by Commission Lieutenant in the New York City Militia who arrived in this Province in the station of a Lieut. of Royal Refugees.

Michael Grass, as a Captain of the New York Militia.

Peter Ratten, Capt. of Associated Loyalists or Jersey Volunteers.

John Stinson, Capt. in the King's Rangers; Peter Van Alstine, John Huyck, Paul Huff, Philip Dorland, Barnet Dyre, as officers in Cuyler's Corps of Associated Loyalists.

Paul Trumpour, of General De Lancey's Brigade.

Alexander Fisher, Assistant Commissary, and John Dusenberry, Ensign in the Royal Rangers.

This Committee are of opinion that the prayer of those reduced officers cannot be granted, conceiving that the order of the 22d October, 1788, extends only to the officers of Sir John Johnson's and Colonel Butler's Corps.

(13) David Lockwood admitted by the board to be a settler has received a single lot; he represents that his father, a Sergeant in General Burgoyne's army, died before the peace; the petitioner claims a Sergeant's allowance in right of his father, and the board leave his request to be decided by His Excellency-in-Council. The Committee are of opinion that he is not entitled to any land from Government in right of his father.

(14) James Russel, Artificer, Warranted from the Board of Ordnance, applies for 500 acres, under the instruction of 1783, and for 200 acres under the Order-of-Council of the 9th of November, 1789, in right of his wife, said to be a loyalist's daughter. The board is in doubt whether under a Warrant from the Ordnance he is entitled to 500 acres; the board are of opinion that he does not come within the description of persons intitled to 500 acres under His Majesty's Instructions of 1783.

The board further state that not being prepared to enter on the consideration of his claim for 200 acres in right of his wife, the matter remains in suspense. The Committee presume that if the board shall find the wife of the petitioner to be the daughter of a loyalist under the description in the Order of the 9th November, 1789, that his prayer on that head will be granted.

(15) Adam Segar's claim for 200 acres in right of his wife remains likewise in suspense, under the same circumstances as above.

(16) Joshua Booth states that his father died in New York before the Peace, and he claims 500 acres which he conceives his father would have been entitled to as a suffering loyalist. The Committee do not find, supposing the statement in the petition to be founded, that had the petitioner's father lived to apply for lands he would have been entitled to more than a lot; and they are of opinion the prayer of his petition cannot be granted.

(17) William Casey, a Master Carpenter in the Quarter Master General's Department at New York last war, applies for 800 acres, the Board at Mecklenburg doubt whether as Master Carpenter he is entitled to that quantity. His claim for 200 acres (family lands) is rejected by the Board; and they think that at all events, he is not entitled to more than 500, in which this Committee concur.

(18) Mary Haslip petitions for an allotment of land in right of her late husband as Sergeant in the 84th Regiment who died in 1782. The Land Board observe that they are not furnished with any precedent for the determination of claims of this nature. This Committee are of opinion that she may be admitted as "Settler," and have 200 acres.

(19) John Scout, of Ernest Town, prays for the additional bounty. The Land Board of Mecklenburg, having been informed that the petitioner had sold his improved lot, with a view of removing with his family into the States, are of opinion that it would be contrary to the spirit of their Instructions to grant the bounty in this case. The Committee supposing that the petitioner was admitted as a loyalist who took the Oath of Allegiance, and subscribed the declaration, are of opinion that if he has improved his first lot he is entitled to the bounty.

(20) Stephen Gilbert's petition states that he lost his property and repeatedly risked his life in the service of Government during the last war, and the Land Board set forth that he came into the Province well recommended and that his character is unquestionable. On a certificate of his loyalty from Cadwallader Colden, Esq., Mr. De Lancy, inspector of loyalists, recommended him to Sir John Johnson and Mr. Collins, and 900 acres of land were assigned him for himself, a wife and seven children, of which he has received but 400 acres. He prays for the remaining 500, together with the additional bounty of 200 acres. Considering the Land Board's statement of his case, the recommendation of the board, and that he is in the Commission of the Peace, this Committee humbly advise that the prayer of his petition may be granted.

(21) The Land Board report that the School House stands on Lot No. 72 in Kingston, that the Lots No. 37 and 79 ought to be annexed thereto. And that Lot No. 130 on the opposite side of the street, should be reserved for the purpose of building a house for the Schoolmaster. This Committee, provided no person pretends a right to a preference to any of those lots, perceived the propriety of the representation from the board, and are of opinion that the lots ought to be reserved for the purpose set forth.

(22)* It was a question with the Land Office Board of Mecklenburg whether the sons of such persons as have been admitted into the district since 1784 are entitled to 200 acres of land when they apply for it and are able to improve it,

which was afterwards decided by the board in favor of such applicants, seeing that it is evidently the intention of Government to give lands to all persons of good character who are able and willing to cultivate them and have not before received any. In which opinion this Committee concur.

(23) The Board submit for the decision of His Lordship-in-Council, whether the petition of Elizabeth O'Neil (the widow of Lieut. O'Neil of the late Royal Rangers who died in 1784) for 1,200 acres in right of her husband may be granted. The board states that she has received 800 acres including family lands as the husband's proportion under the Instructions of 1783, and that no part of it has been cultivated.

The Committee are of opinion that the Widow O'Neil is not entitled to any further grant of land.

The proceedings of the board, with the original petitions therein mentioned, will be fyled in the Council Office, there to remain as evidence that the grace of the Crown has been craved by the petitioners.

(24) The return from Mr. Aitkin, the Deputy Surveyor for the District of Mecklenburg, contains the names of 65 persons to whom he has given certificates of location between the 7th of October, 1789, and the 20th October, 1790, in exchange for the certificates granted by the Land Office Board to him directed.

This return corresponds with the form pointed out in the Committee's report of the 18th December last, and will be entered on the schedule of locations granted, kept in the Surveyor-General's Office, that the names of the persons having obtained lands may there appear of record, together with the district, the name of the township, the No. of the concession or range of lots in the township where drawn will be marked with the person's name who may have drawn the same, and supposing the same rule to be observed by the Land Boards of the respective districts, the schedules and plans kept by them will be a counter part of those kept in the Surveyor-General's Office.

(25) Read a letter from the Land Office Board of Luneburg of the 8th of April, accompanied by the papers specified in the schedule subjoined to the letter referred to this Committee, who are required to confer with the Surveyor-General's Office, and to report what they appear most expedient to promote the objects of the Land Office Regulations and Instructions, prevent confusion, and give security and tranquility to the settlers.

The schedule referred to, subjoined to the letter from the Board, is as follows:

- No. 1. 100 Duplicates of certificates, June 26th, 1789.
2. 28 Duplicates of certificates, Aug't 25th, 1789.
3. 72 Duplicates of certificates, Octo'r 29, 1789.
4. Petitions of persons admitted 26 June and 29 Octo'r, 1789.
5. Petitions of persons admitted 25 Aug't, 1789.
6. A schedule of persons admitted as settlers in the District of Luneburg.
7. Petitions referred to His Excellency Lord Dorchester.

The Committee having considered the matters stated in the letter are of opinion, with the Land Office Board of Luneburg, that it will be expedient to lay out new townships for the accommodation of half-pay officers and others now waiting for lands, as well as those expected from the States in the course of the summer, viz.: two townships on the north branch of the River Rideau, and one on the south branch, and one township on the river called Petite Nation in the

rear of Williamsburg and Matilda. And they concur with the board in the necessity of having an additional surveyor considering the increase of the business in that district.

(26) The board propose four questions and pray for His Excellency Lord Dorchester's opinion thereon for the information and better government of the board.

1st Question: Whether a written abstract from the printed certificates according to the new form transmitted to us will not answer the purpose of duplicates as printed certificates are a very considerable expense to our Clerks who by the late order are obliged to furnish them gratis?

In our report of the 25th of November last, it is stated as the opinion of this Committee that written abstracts from the certificates granted by the Land Boards will be sufficient.

(27) 2d Question: Can the board with propriety either recommend or refer to His Lordship-in-Council the petitions of persons claiming a right to officers' additional land, who never were officers but whose pretensions otherwise may possibly merit some consideration?

The Committee are of opinion on this question that the boards should hear and report fully on all claims that may in their conception, though not provided for by the Instructions, be admissible, and give their opinion under the 5th Article of the Rules and Regulations for the conduct of the Land Office Department of the 17th February, 1789, leaving it to the Governor and Council to decide thereon; reporting at the same time the quantities the petitioners may be entitled to under the Instructions.

(28) 3d Question: Is it His Lordship's intentions that those soldiers who settled and improved, and still continue to improve the hundred acres of land assigned them by the Instructions of 1783 should receive another 100 acres independent of 200 acres bounty in order to put them on an equal footing in the first instance with the new settlers?

On this Quære, the Committee are of opinion that the soldiers mentioned in the question ought to be on no worse footing than the new settlers.

(29) Question 4th: Is it His Lordship's intention that the 50 acres of land formerly drawn by the children of the above description of loyalists should be deducted from the 200 acres lately granted to each of them, when they respectively arrive at a full age?

The Committee are of opinion that it is not the intention of Government that the 50 acres mentioned in the 4th question should be deducted from the 200 acres of land to which the children of loyalists are entitled when they become of age under the order of the 9th of November, 1789.

Having sat down from ten o'clock until half an hour past four, Mr. Collins being much indisposed, could not sit longer.

The Chairman insinuated that the matter before them pressed for report before the departure of His Excellency for Montreal, which he understood would be early next week, and intimated his wish to meet at an early day if Mr. Collins's health will permit, to finish the business before them. It was agreed to adjourn until Tuesday at 10 o'clock.

At a special meeting of the Land Committee on Tuesday, the 20th day of July, 1790. Present: Mr. Finlay, in the chair; Mr. Collins, Mr. Grant and Mr. De Lanaudiere.

(30) The Committee proceeded to compare the petitions with the schedule of the persons admitted as settlers by the Land Office Board of Lunenburg, and concurring with the Board in the propriety of having granted certificates entitling

the petitioners to obtain locations for the quantities therein expressed, they considered on examining the schedule transmitted with the petitions that satisfactory abstracts from the certificates is therein contained; for the schedule shews the name of the petitioner, the quantity of land assigned to him, together with the date of the certificate granted by the Board to warrant the surveyor to put the holder in possession of the quantity mentioned in the certificate. The original petitions transmitted together with the schedule will be filed in the Council Office.

(31) The petitions referred to His Excellency Lord Dorchester were next considered. The petitions of a number of the inhabitants of Augusta and of Matilda state that certificates have been granted upon applications for part of the Commons and Church Lands of those townships, to the great detriment of the public at large; and they pray that no further certificates may be granted for locations in any part of the tracts reserved for Commons or Church Lands, but that they may remain for the uses originally intended.

The Committee not fully comprehending the meaning of the word "common," applied to the Deputy Surveyor-General, Mr. Collins, for information, and find by his answer, that the commons mentioned in the petition are stripes of land about two acres in width lying between and running back the whole depth of the two townships, and left for the convenience of the inhabitants of each township as grazing ground for their cattle in common.

Mr. Collins has not heard nor does he know that certificates have been granted for any parts of any common, or for any part of any glebe, or other tract reserved by the Crown for public uses; and the Committee observe that if any certificates have been granted for locations in any of these reservations, it must have been through mistake, and in their opinion all such certificates are null and void by the Instructions.

(32) Henry Wolery represents that he bought from Ronald McDonell the half of Lot No. 17 in the second concession of the township of Matilda, who had obtained a ticket for it from Mr. McNiff. The Committee had recourse to the schedule of locations in that township kept in the Surveyor-General's Office and find the names of Christopher and Jacob Hawn as proprietors of that lot, each 100 acres, therefore the prayer of the petition cannot be granted.

(33) Catlina Cruikshank, the widow of Alexander Cruikshank, supposing that her deceased husband (who acted as Commissary in the late war, as she represents) was entitled to 2,000 acres of land, and had drawn but 400, conceives that she can of right claim 1,600 more, and applies for it on the River Rideau.

The Committee not being instructed by any remark of the Land Office Board of Lunenburg upon this claim conclude that the petitioner has received certificate for as much land as she is entitled to.

(34) Ephraim Eyres states that he served as a soldier, and Captain Sherwood of the Loyal Rangers certifies that he served in his Company, that he was made prisoner and was kept five years by the Enemy, and neither received pay, provisions or cloathing during that period, nor has he had any equivalent since, and the board recommend him for a grant of 200 acres over and above what he has received; in which this Committee concur.

(35) Sabiah Wright, the daughter of Captain Hazard Wilcox who joined General Burgoyne, sets forth that her father raised a Company in New York after the Convention, and was killed in action on the White Plains, that the petitioner's mother died a year after of a broken heart, leaving five orphan children, that having no friends to apply for them for compensation for their father's

losses, they remained without any consideration, and now she prays on behalf of herself, brothers and sisters an allotment of land allowed to a half pay Captain.

She is recommended by the board as an object worthy His Excellency's notice, and the Committee join the board in recommending that she may obtain a grant of 800 acres of land as a reward for her father's services.

(36) Ziba Phillips, late Serjeant in Major Rogers's Corps, represents that he was employed in Secret Services, and the Board of Lunenburg having considered his losses, services and sufferings recommend him for two hundred acres of land over and above what he has already received as a disbanded Serjeant, in which this Committee concur.

HUGH FINLAY, in the Chair.

Report of a Committee of the whole Council on the foregoing report to His Excellency: The Committee of the whole Council, having considered report of the Land Committee in obedience to Your Lordship's Order of Reference of the 21st July last in council, beg leave to refer Your Excellency to the journal of their proceedings on that reference hereunto annexed, stating their concurrence in all the matters reported by the Land Committee, except in the case of William Casey, number 17 in the margin of the report, who, in the opinion of this Committee, is entitled to no more than two hundred acres of land. All which is submitted to Your Excellency's wisdom.

ALURED CLARKE, Chairman.

Quebec, 7th Jan., 1791.

Council Chamber, Bishop's Palace, Quebec, 15th December, 1790. At a Committee of the whole Council, upon His Excellency Lord Dorchester's reference of a report of the Land Committee of the 20th July.

Present: His Honour Major-General Clarke, Lieutenant-Governor; Messrs. Finlay, Pownall, Dunn, Caldwell, Harrison, Grant, Collins, Baby, Mabane, De Lanaudiere, Delery and Dupré.

Read the report referred on the 21st of July.

Ordered: That it lie upon the table, that the members of the Committee may consider it, and come prepared to give their opinion on the sundry matters therein contained at the next meeting of the Committee. Adjourned until a call from the Chair.

On Friday, 7th January, 1791, the Committee accordingly met, those present being His Honour the Lieutenant-Governor, The Chief Justice, Messrs. Grant, Finlay, Baby, Harrison, De Lanaudiere, Delery, Pownall and Dupré.

Resumed the consideration of the report of the Land Committee.

Agreed that the paragraphs in the report be numbered in the margin, that it be read paragraph by paragraph, and the voices taken upon each separately.

(1) Mr. Dies's case. This Committee concur with the Land Committee upon the principle, that no person is entitled to additional lands under His Lordship's Order-in-Council of the 22d Octo'r, 1788, and 21st July, 1790, but such, as being entitled to the bounty by the Royal Instructions of the 7th August, 1783, had cultivated and improved their lands.

(2) Anderson's case, concur; (3) David Conger's case, concur.

(4) Remark upon the Forms of the Quarterly Returns of Petitions and Certificates of Location from the Land Boards, in which the Committee concur.

(5) Additional bounty of 200 acres of land, concur.

(6) Discharged Provincial soldiers to have 100 acres of land addition, concur.

(7) Remark on plans, concur; (8) Remark on town lots, concur; (9) Application for lands to be referred to the board where the lands lie, concur; and (10) The same, concur.

(11) Applications for a greater quantity of land than is fixed by the Instructions (rejected by Land Committee), concur.

(12) Application from officers who served in American Corps, to the southward (rejected by Land Committee), concur with the Committee taking into consideration the date of the report in reference.

(13) David Lockwood's case. This Committee concur with the Land Committee.

This Committee also concur in the cases of (14) James Russell, (15) Adam Segar, (16) Joseph Booth, (17) William Casey (entitled to only 200 acres), (18) Mary Haslip, (19) John Scout, (20) Stephen Gilbert, (21) Lots reserved for School House, (22) Sons of Loyalists entitled to lands, (23) Eliz. O'Neil, (24) Return from Mecklenburg conformable to Rules.

This Committee also concurs in the cases of (25) Opinion of the Board of Luneburg on laying out townships, (26) Question answered by the Land Committee, (27) Second question answered, (28) 3d Question answered, (29) 4th Question answered, (30) Schedule from Luneburg, (31) Commons not to be granted, (32) Henry Wolery, (33) Catlina Cruickshank, (34) Ephraim Eyre, (35) Sabiah Wright, (36) Ziba Phillips, and having gone through the report, Resolved, that the journal of this Committee be annexed to their report to His Excellency Lord Dorchester.

ALURED CLARKE, Chairman.

7th January, 1791.

Ordered, that extracts from both journals be transmitted by the Clerk of the Council to the Boards of Luneburg and Mecklenburg for their information, so far as they relate to the business of those districts respectively.

Ordered, likewise, that the Land Committee recommend to the different Boards such mode as they may conceive most expedient to be adopted relative to the numbering and indorsement of the reports and petitions to be expected from them.

Ordered, that the Clerk of the Council apprize the different boards in the Province that they may expect Instructions not to receive any further applications for the additional bounty of 1787 after a certain day to be named, recommending it to them to make the same known in their respective districts, that such persons as conceived themselves entitled thereto may lose no time in bringing forward and establishing their pretensions.

On the petition of Stephen Gilbert, Esq., alluded to in the 20th Article of the journals aforementioned, stating that he has received four hundred acres and praying a further grant of seven hundred acres, His Lordship, with the advice of the Council, is pleased to order that the Surveyor-General report a survey of such number of acres to be granted to him as will upon the whole put him in possession of eleven hundred acres in such part of the District of Mecklenburg as may be open for location, in conformity to the general Rules and Regulations.

On the report of the Land Board of Mecklenburg, alluded to in the 21st Article of the journals aforementioned, His Lordship, with the advice of the Council, is pleased to order that the town lots numbered twenty-two, thirty-two, seventy-nine and one hundred and thirty, in the Town of Kingston, be reserved

for a Common School of the township, provided they remain unappropriated by any prior grant, and that they be marked on the plan and schedule of locations accordingly.

On the petition of Ephraim Eyre, alluded to in the 34th Article of the journals aforementioned, His Lordship, with the advice of the Council, is pleased to order that the Surveyor-General report a survey of two hundred acres to be granted to him, in addition to what he has already received, in such part of the District of Lunenburg as may be open for location in conformity to the general Rules and Regulations.

On the petition of Sabiah Wright, daughter of Capt. Hazard Wilcox, alluded to in the 35th Article of the aforementioned journals, His Lordship, with the advice of the Council, is pleased to order that the Surveyor-General report a survey of eight hundred acres to be granted to her, in such part of the District of Lunenburg as may be open for location, in conformity to the General Rules and Regulations.

On the petition of Ziba Phillips, late Serjeant in Major Rogers's Corps, alluded to in the 36th Article of the aforementioned journals, His Lordship, with the advice of the Council, is pleased to order that the Surveyor-General report a survey of two hundred acres, to be granted to him in addition to what he has already received as a disbanded Serjeant in such part of the District of Lunenburg as may be open for location, in conformity to the general Rules and Regulations.

Read the report of the Land Committee dated the 14th February, 1791, on sundry petitions for grants of the waste lands of the Crown. Ordered to lay it on the table.

Read the petition of Ephraim Sanford, late Captain in the Queen's American Rangers, dated the 25th of August, 1789, and a report thereon from the board at Montreal of the 14th June, 1790. Ordered to lay it on the table.

Read a report of the Land Committee, 17th January, 1791, on the case of certain reduced officers reported by the Land Board of Mecklenburg. Ordered to lay it on the table.

Read a report of the Land Committee of the 5th January, 1791, on the monthly return of persons employed in the Surveyor-General's Office, dated 2d December last. Ordered to lay it on the table.

Thursday, 31st March, 1791.

At the Council Chamber in the Bishop's Palace. Present: His Excellency The Right Honourable Guy, Lord Dorchester, Governor; The Honourable Major-General Clarke, Lieutenant-Governor; The Honourable William Smith, Esquire, Chief Justice; and The Honourable Hugh Finlay, William Grant, Thomas Dunn, Paul Roc De St. Ours, Edward Harrison, Francis Baby, John Collins, Joseph De Longueuil, Adam Mabane, J. G. C. Delery, Samuel Holland, George Pownall, Cha's De Lanaudiere, Picotté De Belestre, R. A. De Boucherville, Henry Caldwell, Le Comte Dupré, Esquires.

Read the report of the Land Committee of the 14th of February, 1791, (consisting of Messrs. Finlay, Collins, Caldwell, Grant and De Lanaudiere), upon sundry petitions for grants of parcels of the waste lands of the Crown referred by His Excellency.

Robert Macaulay of Kingston, in his petition of the 4th July last, states that lot No. 17, which he drew in Township No. 1, now Kingston, proves a mere swamp, unfit for the purposes of agriculture, and prays for 500 acres at

the head of the Bay of Quinté in the District of Nassau in lieu thereof. The Deputy Surveyor-General informs the Committee that lot No. 17 is bad, that there are waste lands at the head of the Bay of Quinte where Mr. Macaulay may have a lot in lieu thereof, as soon as townships shall there be laid out. The Committee considering a certificate which accompanies the petition signed by Capt. Alexander Fraser of the 34th Regiment, stating services performed by the petitioner humbly recommend that he may obtain a grant of 500 acres at the head of the Bay of Quinté as soon as a township shall be set off there, should he not chuse to take the 500 acres he prays for in Sydney which is already surveyed.

Church Wardens, Williamsburg: Read a petition from the Church Wardens of the Lutheran Church in the Township of Williamsburg, District of Lunenburg, praying for a vacant space for the purpose of erecting a place of worship thereon. If the scite applied for in this petition shall not, in the opinion of the Land Board of Lunenburg, appear to interfere with any of the reserves for public uses in the town plot, nor may otherwise work inconveniences to the inhabitants, this Committee humbly recommend that the prayer of the petition be granted.

R. Cartwright: Richard Cartwright, Jun., Esq., states in his petition that on Lot No. 18 in the first Concession of Ernest Town there is a mill-stead which is nearly in the center of the most populous part of the District of Mecklenburg. That a saw-mill was sometime since thereon erected by Government which stands idle eight months in the year for want of water. That water may be brought to it, but at an expense too heavy to be compensated by the profits from a saw-mill, he prays for a grant of that lot, and he will, if it shall be granted to him, oblige himself to erect a grist-mill there. He will pay for the saw-mill by appraisement should it be thought necessary to annex that condition.

The Committee beg leave to inform Your Lordship that in their report to Your Excellency of the 19th June, 1789, they stated that Richard Clarke represented to be an industrious man and skilful milwright had applied for the same lot in Ernest Town which is now applied for by Mr. Cartwright; but considering that under the eighth regulation of the 17th Feb., 1789, conveniences for mills are reserved to be disposed of by special order of the Governor-in-Council, they represented that if it should please Your Lordship to favour Richard Clarke by a grant of that lot, they conceived that the grist mill, which he should be obliged to erect there, would be of great benefit to the settlers around. The Committee therefore now humbly conceive that if the Land Board of the District perceive no inconvenience to arise therefrom, and if it shall please Your Excellency to give the preference to Mr. Cartwright's petition, the grist-mill which he will undertake to build there would be of very great advantage to the settlers in that part of the district.

The saw-mill now standing on the lot applied for was erected by Government for the benefit of the first settlers in Ernest Town and may, if Your Lordship pleases, be continued on the original footing which was to supply the inhabitants around with planks and boards at a reasonable rate.

Read Nicolas Austin's petition by his Attorney, Isaac Ogden, Esq., stating that he has examined a tract of land lying (Lower Canada) behind Col. Campbell's seigniority which faces the Isle aux Noix, pointed out to him as vacant land fit for the settlement of the petitioner and his associates who prayed for lands in this Province in September last; he finds the land to be unimprovable and for that reason prays to withdraw his last petition, and to make application now for

a tract for him and his associates to begin at the northeast corner of The Honourable Thomas Dunn's seigniory in Misiscoui Bay, near Penneil Mountain, thence running east to Magog Lake, thence north by the lake so far as to contain two townships, then west and then south, to the beginning, referring to a sketch annexed to the petition.

The Committee observe upon this application that the lands described in the petition are comprehended in that tract, near the line 45° which separates Vermont from this Province, and cannot under His Majesty's existing Instructions be at present granted; and further that repeated applications have long since been made by others for the tract now prayed by the petitioners.

Sir John Johnson, Baronet, Isle Cochoy: Sir John Johnson in his memorial states: That he petitioned for Grande Isle nearly opposite to Kingston, and it has since been claimed as private property which he conceives is the reason why the grant has been delayed, and he now prays (that if contrary to the opinion of the Attorney and Solicitor-General, the claim to Grand Isle be found valid) he may obtain a grant of Isle Cochoy, commencing nearly opposite to the east end of Grand Isle, extending from thence nearly opposite to the River Thames, for the reasons set forth in his memorial of the 23d September, 1788, praying for Grande Isle.

The Committee in a former report to Your Lordship stated that the Deputy Surveyor-General had informed them that Your Excellency did not intend to grant any island at that time, yet if it shall please Your Lordship now to grant Sir John Johnson's prayer, this Committee on examining the plans in the Surveyor-General's Office and on hearing the Deputy Surveyor-General, do not foresee any inconvenience that the public could suffer by his obtaining a grant of the Isle Cochoy.

HUGH FINLAY, in the Chair.

Quebec, 14th Feb'y, 1791.

On the petition of Robert Macaulay of Kingston: Ordered, that if the petitioner shall have surrendered the lot No. 17 in the Township of Kingston, and obtained the certificate of the Land Board of Mecklenburg of such surrender, and that the lot being marked vacant in the schedule of locations, and the plan of the township, he may apply by a petition in the usual form to the Land Board of the District, in which he may be desirous of forming a settlement for a grant of five hundred acres in a surveyed part of the district, specifying the location, on which the board will report for the future consideration and order of the Governor-in-Council.

On the petition from the Church Wardens of the Lutheran Church in the Township of Williamsburg in the District of Lunenburg: Ordered, that the Land Committee inform themselves and make further report on the questions they raise.

Read a report of the Surveyor-General's Office of persons employed in the Surveyor-General's Drawing Room, dated 11th of March instant. Ordered to lie on the table.

Read a report (to His Lordship) of a Committee of the whole Council on a report of the Land Committee of the 22d February, 1791: The Land Committee, in obedience to Your Excellency's Order of Reference, on the memorial of the Deputy Surveyor-General to Your Lordship of the 16th instant, relative to difficulties respecting spaces for reservations for public uses, in two townships intended to be laid out adjoining the Townships of Charlottenburg and Cornwall

in the District of Lunenburg, beg leave to refer Your Excellency to their Minute of this day, hereunto annexed, containing the result of their deliberation on the matter contained in the memorial referred. All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 22d February, 1791.

The Minute follows:

At a special meeting of the Land Committee on Tuesday, 22d February, 1791, when there were present Messrs. Finlay, Collins and Grant.

Read a memorial from John Collins, Esq., Deputy Surveyor-General, to His Excellency as follows:

The memorialist, John Collins, Deputy Surveyor-General, humbly sheweth: That new townships according to the Regulations established by Your Lordship-in-Council are so to be laid out as to reserve for the Crown, and public uses, a very considerable proportion of each township. That if such reservations are to obtain in the two new intended townships adjoining Charlottenburg and Cornwall, lands actually granted under certificates pledging the faith of Government and probably in part cultivated will be included in the reservations. That those certificates were issued on account of the want of land in the said townships to satisfy the numerous settlers who then applied for farms in that quarter as appears by report to Your Lordship of the 19th December, 1787.

Your memorialist is therefore humbly in Your Lordship's judgment for such further orders and authority in explanation of Your Lordship's pleasure signified in the Instructions to the Surveyor-General's Office of the 14th instant as may concern the surveys and cases of the lots so as aforementioned affected by the certificates issued in 1787. And your memorialist will ever pray.
Quebec, 16 February, 1791.

Read His Lordship's Order of Reference indorsed on the foregoing memorial, in these words: Referred to the Land Committee, who are to hear the Deputy Surveyor-General in explanation of his memorial, inquire into the necessity of the proposed deviation from the general Rules and Regulations, what is the foundation for the supposition that part of the lands in question are probably cultivated, and if they see a necessity for a deviation, to what extent the reservations are still practicable without detriment to the rightful holders of Occupation Certificates pledging the faith of Government and what course may be advisable to suit the exigency of the case, and attain as far as possible the object of the reservations under the general Regulations.

By Order of His Excellency Lord Dorchester.

HENRY MOTZ.

Quebec, 19th Feb'y, 1791.

The Committee having heard the Deputy Surveyor-General in explanation of his memorial and having examined the general plan of the District of Lunenburg, together with the particular plans of the Townships of Charlottenburg and Cornwall, understand that in the year 1787, before the Rules and Regulations for the Conduct of the Land Office Department were published, the Township of Charlottenburg (having a front of nine miles) was extended backwards to the depth of twenty-two miles and a half, exceeding by ten and a half miles the depth of any township laid out since the general Regulations were framed; and that the extension was made by the Deputy Surveyor-General for the accom-

modation of loyalists in obedience to instructions which he received from His Lordship, the 4th of June, 1787, conceiving that by the 1st, 2nd and 3d Articles it was His Excellency's intention that that township should be extended back, so as to include a sufficient number of lots to make up to the first grantees their family lands and likewise His Majesty's bounty lands, in order that their property might lie as contiguous as possible.

Cornwall has a front of ten miles and has been extended to the depth of eighteen miles and three quarters for the same reasons which induced the Deputy Surveyor-General to extend Charlottenburg. The Committee further understand that all the lots in those two township have been assigned to discharged soldiers, loyalists and others without reserving a single lot for any public use whatever, except a glebe in the center of each township. The name of the holder of the occupation certificate appears upon the particular plan of each township, and entered upon the lot he has drawn.

The reason assigned by the Deputy Surveyor-General for supposing that a part of the lands in question are probably cultivated is that the length of time those people have been in possession considered, it appears to him more than probable that they have made improvements on their lots; but the Committee are led to consider from statements laid before the Council by the Surveyor-General's Office of the expediency of running the concession lines in every township to enable the holders of certificates to find their lots, that not many settlers will have sat down in the back parts of the townships in question, because that operation is yet to be performed; in that case the necessary reservations in the back parts may yet be practicable, and the mode most advisable and best suiting the exigency of the case is clearly pointed out by the 6th and 7th Articles of the additional Rules and Regulations of the 25th August, 1789.

In order to preserve uniformity in the extent of the townships, it appears to this Committee that the Township of Charlottenburg may be reduced in its depth ten miles and a half; and by adding a mile and a half to that ten and a half miles there may be laid off a separate township; and by reducing Cornwall to a depth of twelve miles and adding five miles and a half to the six and a half miles so proposed to be cut off, another township may be named adjoining to and directly behind Cornwall.

HUGH FINLAY, in the Chair.

The report of a Committee of the whole Council (consisting of His Honour, The Lieutenant-Governor, The Chief Justice, Messrs. Finlay, Harrison, Collins, Delery, Pownall, De Belestre, Caldwell, Grant, De St. Ours, Baby, De Longueuil, Holland, De Lanaudiere and De Boucherville), on a report of the Land Committee of the 22d of February.

May it please Your Lordship: The Committee of the whole Council have taken into consideration Your Lordship's reference of the 5th of this month and the report of the Land Committee hereunto annexed, and humbly report that upon stating the question the Committee were of opinion to concur in the said report, and that the Surveyor-General set off the quantum usually reserved for the Crown, and then those for public uses, and that the residue remain to be disposed of to private petitioners as the regulations direct. All which is nevertheless submitted to Your Lordship's great wisdom.

ALURED CLARKE, Chairman.

Quebec, 31st March, 1791.

His Lordship approved the report, and ordered that the Surveyor-General's Office carry the advice of the Board into execution.

Wednesday, 8th June, 1791.

At the Council Chamber in the Bishop's Palace. Present: His Excellency The Right Honourable Guy, Lord Dorchester; The Honourable Major-General Clarke, Lieutenant-Governor; The Honourable William Smith, Esq., Chief Justice, and The Honourable Hugh Finlay, J. G. C. Delery, Thomas Dunn, George Pownall, Edw'd Harrison, William Grant, John Collins, Francis Baby, Adam Mabane, Samuel Holland, Esquires.

APPOINTMENT OF LAND BOARDS

His Lordship informed the Council that he had continued the appointment of the different Land Boards in the Province until the first day of June, 1793, and communicated a schedule of the persons named with a copy of the letter of appointment addressed to each board which were read:

Schedule of the Land Boards appointed by His Excellency Lord Dorchester to act from and after the first day of May, 1791:

Sir John Johnson, Bart., President of the Land Boards of Montreal, Luneburg, Mecklenburg, Nassau and Hesse, when present.

Montreal: The officer commanding at Montreal, William Rankin, Abraham Pastorius, Joseph Chew, Eli Branson, Arthur Davidson, Esquires, and the officer of the Royal Corps of Engineers stationed at Montreal, if such there is.

Luneburg: Richard Duncan, John McDonnel, Jeremiah French, Justus Sherwood, James Gray, John Munro and Malcolm McMartin, Esquires.

Mecklenburg: The Rev. Mr. John Stuart, Neil McLean, Richard Cartwright, Jun.; James McDonnel, Hector McLean, Esquires, and the officer commanding for the time being.

Nassau: The officer commanding the Upper Posts, Lieut.-Col. John Butler, Peter Tenbrook, Robert Hamilton, Benjamin Pawling, Nathaniel Pettit, Gilbert Tice, John Burch, John Warren, Robert Kerr, John McNabb, Esquires, and the officer of the Royal Corps of Engineers stationed at Niagara for the time being.

Hesse: The officer commanding at Detroit, William Dummer Powell, Alexander McKee, William Robertson, Alexander Grant, St. Martin Adhemar, John Askin, George Leith, Montigny De Louvigny, Esquires, and the officer of the Royal Corps of Engineers stationed at Detroit for the time being.

Gaspé: Nicholas Cox, Esq., Lieutenant-Governor; Felix O'Hara, Charles Robin, Daniel McPherson, François B. De La Fontaine, Pierre Louvert, Henry Rimphoff, Isaac Mann, Esquires.

Copy of a circular letter for the appointment of the different Land Boards, dated Quebec, 3d March, 1791:

Gentlemen: As the authority of the Land Boards, heretofore constituted in different parts of the Province, will expire on the first day of May next, and a continuance of similar powers is expedient for the ease and accommodation of the loyalists, and for the inspection and due execution of all Orders of the Governor-in-Council relative to the Land Granting Department in the respective districts, I have thought proper hereby to appoint you or any five of you to constitute a board for that purpose, within and for the District of——— from and after the first day of May next until the first day of June in the year One thousand seven hundred and ninety-three, unless sooner dissolved.

You will be governed in the exercise of this trust by the Rules and Regulations for the Conduct of the Land Granting Department now extant, and such further orders and instructions as you may receive from time to time. I am with regard,

(Signed) DORCHESTER.

His Lordship added that since the above-mentioned appointment, the Board of Gaspé had been authorized to proceed by a quorum of three members only (Lieutenant-Governor Cox, or in his absence from the district Mr. Felix O'Hara being one) as often as a greater number of members should not attend, after having been duly notified by their President of the day and place fixed for the stated and periodical meetings of the board.

A report of a Committee of the whole Council dated 3d February, 1791, on a letter from the Land Board of Mecklenburg to Mr. Secretary Motz dated 30th June, 1790, read, and ordered to lie on the table.

A report of the Land Committee dated 5th May, 1791, on a petition of Madame Lanaudiere and Madame Verchere, dated 21st February, 1788, read, and ordered to lie on the table.

The returns of persons employed and business done in the Surveyor-General's Drawing Room, dated 1st April, 1st May and 1st June, 1791, read and ordered to lie on the table.

Saturday, 23d July, 1791.

At the Council Chamber, in the Bishop's Palace. Present: His Excellency The Right Honourable Lord Dorchester, Governor; The Honourable Major-General Clarke, Lieutenant-Governor; The Honourable William Smith, Esquire, Chief Justice, and The Honourable Hugh Finlay, George Pownall, Thomas Dunn, Henry Caldwell, Edward Harrison, William Grant, John Collins, Francis Baby, Adam Mabane, Samuel Holland, J. G. C. Delery, Chas. De Lanaudiere, Esquires.

His Lordship observed that as soon as the business of settling the loyalists and reduced troops on the waste lands of the Crown free of expense should be brought to a conclusion, there could be no further occasion for the employment of extraordinary surveyors in the different parts of the Province at stated daily allowances and that it was reasonable to suppose that all claims to lands of the nature above mentioned were now nearly satisfied.

Upon which it was ordered by His Lordship, with the advice of the Council, that all stated daily allowances now paid to surveyors in different parts of the Province do cease at the close of the work which may be ordered for the next season, and not later than the first day of December, 1792.

Ordered, likewise, that all services hereafter to be performed in the Department of the Surveyor-General be previously authorized upon annual estimates of the expense to be brought forward by the Surveyor-General's Office, and approved by the Governor or Commander-in-Chief for the time being, in Council.

Ordered that copies of this entry be transmitted by the Clerk to the Office of the Surveyor-General, and to the respective Land Boards, for the information and guidance of all persons concerned.

His Lordship informed the Council that he has appointed Peter Drummond and Archibald McDonell, Esquires, members of the Land Board for the District of Lunenburg, on the 14th inst.

The reports of the Land Committee of the 5th May and 6th June last on the returns of the Surveyor-General's Drawing Room read, and ordered to lie on the table.

The report of the Land Committee of the 7th June last, concerning instruments in the Surveyor-General's Office, read, and ordered to lie on the table.

The report of the Land Committee of the 13th July instant, on the petitions of Robt. Smith, and of the Lutheran Congregation of Lunenburg read, and ordered to lie on the table.

The Return of Persons employed in the Surveyor-General's Drawing Room, dated 1st July, 1791, instant, read, and ordered to lie on the table.

Monday, 15th August, 1791.

At the Council Chamber in the Bishop's Palace. Present: His Excellency The Right Honourable Lord Dorchester, The Honourable Major-General Clarke, Lieutenant-Governor, and The Honourable Hugh Finlay, William Grant, Thomas Dunn, Francis Baby, Edward Harrison, Samuel Holland, John Collins, George Davison, Esquires, Adam Mabane, Sir John Johnson, Bart.; J. G. C. Delery, Chas. De Lanaudiere, Henry Caldwell, Le Cte. Dupré, Esquires.

Read five Returns of Persons employed in the Surveyor-General's Drawing Room, dated the 11th of March, 1st of April, 1st of May, 1st of June and 1st of July, 1791, and ordered to be filed.

Read the reports of the Land Committee upon Returns of Persons employed in the Surveyor-General's Drawing Room, dated the 5th of January, the 5th of May and the 3d of June, 1791, and ordered to be filed.

Read a report of the Land Committee of the 7th of June, 1791, concerning instruments in the Surveyor-General's Office, as follows:

The Land Committee were honoured by Your Excellency's Order-in-Council on the 4th of January last, to report a list of the instruments remaining in the Office of the Surveyor-General, or in the hands of the several Deputy Surveyors, distinguishing those appurtenant to the office from such as may be private property and whether any and what kind of instruments may be wanted for executing the work of that Department with due accuracy, together with an estimate of the probable expense of supplying the deficiency.

The Committee humbly report that by the statement in the Surveyor-General's letter hereunto annexed, it appears that no surveying instruments belong to the Surveyor-General's Office, and that those made use of in his Department are his own property, or the property of his Deputies, who are, as he observes, well provided in general with good horizontal theodolites; and further, that he is not aware that any other instruments are wanted in his Department.

The Committee perceive from the tenor of the Surveyor-General's letter that were a great work in the Surveying Department to be ordered by Government he would be loth to lend his capital instruments for that purpose, but to such person as to his knowledge is skilled in the use of them.

By Mr. Collins's report, which is likewise annexed, it further appears that there's no kind of instruments in the Surveyor-General's Office belonging to Government, and that the Deputies employed furnish their own surveying instruments.

The Deputy Surveyor-General has not as yet (as he intended) been able to report to this Committee the instruments which he thinks Government should provide for the use of the Surveyor-General's Office. All which is humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 7th June, 1791.

Report to the Land Committee:

There's no instruments in the Surveyor-General's Office belonging to Government. The following list are instruments belonging to Mr. Collins, viz.: a theodolite, by Rowley, F.I.;

an acre-meter telescope 3-8 in length, the magnifying powers with eye-glasses for land objects about 50 times, and with those for astronomical uses 80 times. One Hadley's quadrant, one mason's level, one English chain, one French chain.

The Deputy Surveyors and Assistant Surveyors furnish their own instruments for the ordinary business of surveying lands.

Quebec, 4th February, 1791.

JOHN COLLINS, D.S.G.

Quebec, 31st January, 1791.

Sir: In answer to yours of the 28th instant requiring me to furnish the Land Committee with a list of the instruments remaining in the Land Surveying Office, and in the hands of the several Deputy Surveyors, I have to inform you that as no allowance of instruments has ever been made to the Land Surveyor-General of the Province of Quebec (Lower and Upper Canada), of course there are no instruments appertaining to his office; those made use of in his Department being the private property either of himself or of his Deputies; and of the number in their possession I can only mention such as were commissioned out from London by me, about six years ago, and sent me by Messrs. Watson and Rashleigh, being six of the best improved horizontal theodolites, for the following gentlemen, viz.: Mr. O'Hara, at Gaspée; Mr. Vondenvelden, Chaleur Bay; Mr. McCarthy, St. Thomas; Mr. Fry, Detroit; Mr. Aitkins, Kingston, and one for my son groved with cross levels. Three more were likewise sent out by me when in England two years ago, and are at present in the hands of Messrs. DePencier, Pennoyer and Bedard, the whole of these instruments have circular protractors of the same divisions and dimensions of the instruments with spare bar-needles agate capped, and I have now ordered out three more, for Messrs. St. Germain, Bouchette and J. Plamondon, exclusive of these there are many other good instruments belonging to the Deputy Surveyors, Mr. Chewet having at some expense provided himself with two sets, and Messrs. William Fortune and Jones with one good one each; also Mr. J. McDonald, and I have seen some at Montreal in the hands of Mons. Papineau and DeLisle.

I am not aware that any further instruments are at present wanted in my Department, but that in a great measure depends on the nature of the work to be performed, and persons employed as I should be loth to trust in any unskilful hands my capital set of instruments consisting of all sorts necessary for carrying on a general survey or making astronomical observations, and made by the best artists in London. They have already been proved by me in settling the longitudes and latitudes in the Northern District of North America as inserted in the Philosophical Transactions and with which Mr. Sproule and Mr. Wright ascertained the longitude and latitude of Gaspée and Isle of Anticosti, as they were much deranged by being removed from their boxes by Mrs. Holland to prevent their being carried off by the Americans while she and family were their prisoners in the year 1776, I was under the necessity of taking the principal ones with me to England, where they underwent a thorough repair in Mr. Ramsden's hands, except a quadrant of the old construction which was left in my office where it has been nearly ruined.

SAMUEL HOLLAND.

Honourable Hugh Finlay, Esq.

Ordered to lie on the table.

Read the following report of the Land Committee on the petition of Ephraim Jones for part of the Common in the Township of Augusta in Luneburg. (Members present: Messrs. Finlay, Collins and Grant.) Ephraim Jones of the Township of Augusta in the District of Luneburg by his petition of the 10th of January last, prays Your Excellency to grant him a part of the Common, twenty rods wide running the depth of the first and second concessions, and adjoining his lands in that township. He states that that tract contains about two hundred acres, and in its present uncultivated condition shades and greatly injures his crops.

The Committee beg leave to observe that upon Your Lordship's reference of an application from a number of the inhabitants of the Townships of Augusta and Matilda, praying that no portion of the grounds set apart for Commons might be granted to individuals, they reported on the 20th of July last year as their opinion, that no part of any Common ought to be granted to any person. The Committee humbly conceive that the prayer of Mr. Jones's memorial is inadmissible, which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY.

22d July, 1791.

His Lordship observed that it appeared to be expedient to inquire whether the spot alluded to in the foregoing report actually was a Common, and upon what authority it was so called, and also whether there were any other tracts in the new settlements of the same description.

Ordered, that the Land Committee make enquiry by communication with the Surveyor-General's Office and the different Land Boards whether there are any such spots, and upon what authority they are so considered, and that they report the result.

Read the following report of the Land Committee:

May it please Your Excellency: The Land Committee beg leave to refer Your Lordship to their Minute of this day hereunto annexed, wherein is stated their opinion relative to a proposal from the Land Office Board of Luneburg, touching a deviation from the General Rules and Regulations laid down for fixing the scites of towns in the townships that may hereafter be laid out, which that Board wishes may be permitted, in laying out four new townships on the River Rideau; which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Minute of the Land Committee:

At the weekly meeting Friday, 5th August, 1791. Present: Mr. Finlay, in the Chair; Mr. Collins, Mr. Grant, Mr. De Lanaudiere.

The Chairman called the attention of the Committee to the contents of Mr. Secretary Motz's letter of the 11th of July last, addressed to Mr. Finlay, which had already been read at the Board on the 15th. He observed that tho there lies upon the table many returns from the Land Office Boards of the new districts, which ought to be reported upon according to the dates of the references accompanying them, yet considering the nature of the business contained in the last communications from the Land Board of Luneburg referred to in Mr. Motz's letter of the 11th July, he submitted whether the Committee should not without delay report on the 8th Article of the paper entitled, Remarks and Observations suggested by the Land Board of Luneburg humbly submitted

for the consideration of His Excellency Lord Dorchester, viz.: It is submitted whether a town at the junction of the Forks of the River Reddo, surrounded by four townships, would not answer a good purpose, and in this as well as in some other cases, induce a departure from the established rule.

The Committee considering the same conceive that the proposed deviation should be reported upon immediately, in order that His Excellency's pleasure concerning it may be communicated to the Land Board of Luneburg without delay, if so it shall please His Lordship.

Resolved, that in the opinion of this Committee it is advisable in the present instance to permit a deviation from the General Rules and Regulations for the Conduct of the Land Office Department in laying out townships; they therefore humbly recommend that the scite of a town may be laid off at the Forks of the River Reddo as delineated in a plan drawn by Mr. Chewet, 28th March, 1791, and referred to by the Land Office Board of Luneburg to serve as a town plot in the center of four adjoining townships, two on each side of the main branch of the aforesaid river, the reserves to be sixteen farm lots in the outer corners of each of the said four townships as laid down in the plan.

Ordered, that the Chairman report the Minute of this day to His Excellency Lord Dorchester with Mr. Chewet's plan thereunto annexed.

HUGH FINLAY, in the Chair.

His Lordship, taking the said report into consideration, was pleased, with the advice of the Council, to approve of what is therein recommended to be done, and to order that the same be carried into execution by the Surveyor-General's Department, taking care that there be no diminution of the established reservation of two and thirty farm lots in each of these four townships, and also that a glebe of four hundred acres for a clergyman, and a glebe of two hundred acres for a schoolmaster be set apart in each township adjoining to the common town plot, agreeable to the general Regulations.

Read a report of the Land Committee dated the 10th day of August, 1791, and another report of the same Committee dated the 17th of January, 1791, exhibiting schedules of the claims of certain reduced officers in the Districts of Luneburg and Mecklenburg, to parcels of the waste lands of the Crown under the Orders of the Governor-in-Council of the 22d October, 1788, and the 21st July, 1790, stating the respective quantities still due to each in addition to what they have already received in order to their being put upon an equal footing with the officers of their respective ranks of the late 84th Regiment, agreeable to the intentions of the aforementioned Orders and observing at the same time that the respective Land Boards from whose journals, referred to the Committee from time to time, these claims are selected have omitted to state the names of the townships in which the respective applicants desire to obtain their lands, in the words following, viz.:

May it please Your Lordship: Mr. Secretary Motz in a letter of the 19th of January last informed this Committee of Your Excellency's being desirous that all reduced officers entitled to additional grants under Your Lordship's Order-in-Council of the 22d October, 1788, and 21st July, 1790, should be put in possession of their locations as early in the spring following as possible and for that purpose Your Lordship had commanded the Land Committee to make a separate report of all the cases of that description which are dispersed in the journals and papers transmitted by the Land Boards and under reference to the Land Committee.

The Committee beg leave to set forth that in obedience to Your Excellency's commands signified to them by Mr. Secretary Motz of the 15th of January last, they on the 17th of that month reported the names of a number of reduced Officers of Provincial Corps, residing in the District of Mecklenburg, whom they considered (under the orders of October, 1788, and July, 1790) to be entitled to additional grants as therein stated. And the Committee beg leave now further to report that they have carefully examined the journals and papers transmitted from the different Land Boards, referred to this Committee from time to time, and from those journals have made out a list of the reduced officers who have made applications since that time, which list is hereunto subjoined and shews the number of acres due to each petitioner, to put him on a footing with officers of equal rank of the late 84th Regt.

The Land Boards having omitted to mention in their returns to the office of Your Lordship's Secretary the names of the townships, in which the applicants desire to obtain their lands, the Committee beg leave to submit whether the respective boards may not be instructed to issue certificates of location for the lots which the petitioners may have individually pointed out, provided they do not interfere with prior applications from other persons, nor with tracts reserved for public uses in the respective townships. All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 10th August, 1791.

DISTRICT OF LUNEBURG

15th August, 1791.

List of Reduced Officers of Provincial corps residing in the District of Lunenburg entitled to additional grants of the waste lands of the Crown, under His Excellency Lord Dorchester's Order-in-Council of 22nd October, 1788, and 21st July, 1790, to put them on a footing with officers of equal rank of the late 84th Regt.:

Corps: Loyal Rangers	Acres received	Due
Captain Thomas Fraser.....	1,100	1,900
Captain William Fraser.....	1,100	1,900
Lieutenant Hugh Munro (ranked by General Haldimand as a Captain).....	900	2,100
Captain Peter Drummond.....	1,200	1,800
Captain Justus Sherwood.....	1,000	2,000
Lieutenant Gideon Adams.....	500	1,500
Lieutenant John Dulmage.....	900	1,100
Ensign Roger Stevens.....	400	1,600
Ensign William Snider.....	800	1,200
Ensign Elijah Baltum.....	600	1,400
Ensign T. Sherwood.....	1,000	1,000
Lieutenant Alexander Campbell.....	900	1,100
Lieutenant James Campbell.....	1,000	1,000
Captain James Brakenridge.....	1,050	1,950
Ensign William Bewel.....	850	1,150
Ensign David Brakenridge.....	950	1,050
Ensign John Connolly.....	700	1,300
R.R.R. of New York		
Lieutenant Thomas Smith.....	600	1,400
Ensign William Lamson.....	500	1,500
Captain Joseph Jessup, Loyalists.....	900	2,100
(Heirs) Lieutenant Peter McLaren, Jessup's Corps.....	500	1,500
Lieutenant Malcolm McMartin, Roy. Reg. of New York..	500	1,500
Captain Francis Hoyle, Queen's Rangers.....	1,000	2,000

DISTRICT OF MECKLENBURG

	Acres received	Due
Lieutenant Guysbard Sharp, Loyal Rangers.....	700	1,300
Lieutenant Hector McLean, 84th Regt.....	1,200	800
Captain Jos Allen, Associated Loyalists.....	300	2,700
Captain Abraham May, Associated Loyalists.....	1,000	2,000
Lieutenant Peter Valleau, Associated Loyalists.....	900	1,100
Lieutenant William Rattan, Associated Loyalists.....	800	1,200
Ensign Jon. Miller, King's Rangers.....	200	1,800
Lieutenant Edwd. Cascallen, Peter's Corps.....	600	1,400
Captain Willm. Johnson, Indian Department.....	750	2,250
Lieutenant John Richards, Indian Department.....	700	1,300

HUGH FINLAY, in the Chair.

To His Excellency The Governor-General:

Report of the Land Committee (present: Messrs. Finlay, Grant and De Lanaudiere) on the prayer of certain reduced officers reported by the Land Board of Mecklenburg:

May it please Your Lordship: In obedience to Your Excellency's commands of the 15th inst., signified by Mr. Secretary Motz in a letter to Mr. Finlay, this Committee have again taken into consideration the prayer of certain reduced officers of Provincial corps residing in the District of Mecklenburg, which this Committee on the 20th of July reported to be inadmissible, conceiving that Your Excellency's Order-in-Council of the 22d of October, 1788, extended only to the reduced officers of Sir John Johnson's and Lieut.-Colonel Butler's corps, in which the Committee of the whole Council concurred, taking into consideration the date of that report which had been referred to them.

The Land Committee now considering Your Lordship's Order-in-Council of the 21st of July, which extends the benefits of the Order of the 22d of October, 1788, to other reduced officers of certain descriptions without distinction of corps, humbly report that they conceive the reduced officers whose names are here inserted, and who have received lands under His Majesty's Instructions of 1783, to be entitled to additional grant of the waste lands of the Crown to put them on a footing with officers of equal rank of the late 84th Regiment, viz.:

David McGivern, a Captain in DeLancey's Corps is entitled to an additional grant of 1,950 acres.

Peter Rattan, a Captain in the Jersey Volunteers, to 1,900 acres.

John Stinson, a Captain in the King's Rangers, 2,150 acres.

Peter Van Alstine, Major in Cuyler's Corps, Associated Loyalists, 2,550 acres.

Baret Dyre, a Captain in Cuyler's Corps, Associated Loyalists, 2,150 acres.

John Huyck, a Lieutenant in Cuyler's Corps, 1,200 acres.

Paul Huff, a Lieutenant in Cuyler's Corps, 1,300 acres.

Philip Dorland, a Lieutenant in Cuyler's Corps, 1,400 acres.

Paul Trumpour, Ensign in Delancy's Brigade, 1,350 acres.

John Dussinberry, Ensign in Royal Rangers, 500 acres.

If the petitioning officers of the New York Militia are to be considered as Associated Loyalists, Captain Michael Grass, an Officer of that description, will be entitled to a further grant of 1,750 acres, and Lieut. William Atkinson to 1,250 acres under Your Lordship's Order-in-Council of the 21st of July.

The Committee find by the report of the Land Board of Mecklenburg that John Josh Harkimer, Captain of Batteaux, has obtained lands as a Captain; and Alexander Fisher, an Assistant Commissary, as a Subaltern, under His Majesty's Instructions of 1783.

It does not appear to this Committee that those petitioners are entitled to be put on a footing with the officers of the 84th, yet should it be considered that they have a claim to that extended bounty Mr. Harkimer will be entitled to an additional grant of 1,900 acres, and Mr. Atkinson to 1,300 acres.

All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

Quebec, 17th January, 1791.

HUGH FINLAY, in the Chair.

His Lordship, taking the said reports into consideration, is pleased, with the advice of the Council, to approve of the following quantities recommended by the Committee, being granted to the respective petitioners, that is to say, in the District of Lunenburg:

To Capt. Thomas Fraser of the Loyal Rangers, 1,900 acres.

To Capt. William Fraser of the same corps, 1,900 acres.

To Lieut. Hugh Munro of the same corps, stated to have been ranked by General Haldimand as a Captain, 1,100 acres, which, with 900 acres already received by him, is in full satisfaction of his claim as a reduced Lieutenant, reserving his further claim of being ranked as a Captain for future consideration upon such proof as he may think fit to adduce.

To Capt. Peter Drummond of the same corps, 1,800 acres.

To Capt. Justus Sherwood of the same corps, 2,000 acres.

To Lieut. Gideon Adams of the same corps, 1,500 acres.

To Lieut. John Dulmage of the same corps, 1,100 acres.

To Ensign Roger Stevens of the same corps, 1,600 acres.

To Ensign William Snider of the same corps, 1,200 acres.

To Ensign Elijah Baltum of the same corps, 1,400 acres.

To Ensign T. Sherwood of the same corps, 1,000 acres.

To Lieut. Alexander Campbell of the same corps, 1,100 acres.

To Lieut. James Campbell of the same corps, 1,000 acres.

To Capt. James Brackenridge of the same corps, 1,950 acres.

To Ensign William Buel of the same corps, 1,150 acres.

To Ensign David Brakenridge of the same corps, 1,150 acres.

To Ensign John Conolly of the same corps, 1,300 acres.

To Lieut. Thomas Smith of the Royal Regiment of New York, 1,400 acres.

To Ensign William Lamson of the same corps, 1,500 acres.

To Capt. Jos. Jessup of the Loyalists, 2,100 acres.

To the heirs of Lieut. Peter McLaren of Jessup's corps, 1,500 acres.

To Lieut. Malcolm McMartin, Roy. Regt., New York, 1,500 acres.

To Capt. Francis Hoyle of the Queen's Rangers, 2,000 acres.

In the District of Mecklenburg:

To Lieut. Guysbard Sharp of the Loyal Rangers, 1,300 acres.

To Lieut. Hector McLean, 84th Regt., 800 acres.

To Capt. Joseph Allen of the Associated Loyalists, 2,700 acres.

To Capt. Abraham May of the same corps, 2,000 acres.

To Lieut. Peter Valleau of the same corps, 1,100 acres.

To Lieut. William Rattan of the same corps, 1,200 acres.

To Ensign Jonathan Miller* of the King's Rangers, 1,800 acres.

*See an application of his devisees in 1806, page 10, Land Book G.

To Lieut. Edward Cascallen of Peter's corps, 1,400 acres.

To Capt. William Johnson of the Indian Department, 2,250 acres.

To Lieut. John Richards of the same corps, 1,300 acres.

To Capt. David McGivin of Delancey's corps, 1,950 acres.

To Capt. Peter Rattan of the Jersey Volunteers, 1,900 acres.

To Capt. John Stinson of the King's Rangers, 2,150 acres.

To Major Peter Van Alstine of Cuyler's corps, Associated Loyalists, 2,500 acres.

To Capt. Baret Dyre of the same corps, 2,150 acres.

To Lieut. John Huyck of the same corps, 1,200 acres.

To Lieut. Paul Huff of the same corps, 1,300 acres.

To Lieut. Philip Dorland of the same corps, 1,400 acres.

To Ensign Paul Trumpour of Delancey's Brigade, 1,350 acres.

To Ensign John Dussenberry of the Royal Rangers, 500 acres.

To Capt. Michael Grass of the New York Militia, 1,750 acres.

To Lieut. William Atkinson of the same corps, 1,250 acres.

To Capt. John Josh. Harkimer, Captain of Batteaux, 1,900 acres.

And the Land Boards of Lunenburg and Mecklenburg are enjoined to receive from the respective claimants above mentioned specific descriptions of their locations and to report the same with their opinions thereon, and particularly the grounds of discrimination, from priority of application or otherwise, upon diversities of claims, to one and the same tract, that the Surveyor-General may be enabled to make the necessary returns of survey of the respective tracts to be granted as soon as the lands to be appropriated for the satisfaction of these claims shall be laid out in townships agreeable to the general Rules and Regulations.

Read the report of a Committee of the whole Council dated the third of February, 1791, on a letter from the Land Board of Mecklenburg to Mr. Secretary Motz, dated 30th June, 1790, stating that the objects of this reference are provided for by the Resolutions of the Committee of the preceding day upon the proposals from the Surveyor-General's Office, respecting surveys to be performed in the course of the present year. Ordered to be filed.

Read the following report of the Land Committee to His Excellency: In obedience to Your Excellency's commands, the Land Committee (consisting of Messrs. Finlay, Collins and Caldwell) have considered the joint memorial of the Widow Lanaudiere and the Widow Verchere, dated the 21st of February, 1788, to Your Lordship, setting forth, that a seigneurie situated on the north side of the River Catarakoui of three leagues in front by three leagues in depth was granted by Brevet of Concession to their Brothers, Messrs. DeLongueuil De Gray and De Mericour, deceased, extending from Point Iroquois to include the great Point de la Galette) by their Father the Baron DeLongueuil, Governor-General, and Monsieur DeBigot, the Intendant, on the 12th June, 1752; that they are heirs to their deceased brothers; that from the year 1755 to the year of the Conquest of this country by the British Arms, the war prevented the settlement of the seigneurie; that they have heard their father often say that he had obtained the ratification of the Brevet of Concession.

The Committee likewise considered the report of Jenkin Williams, Esq., Inspector-General of His Majesty's Domain, upon the claim of the petitioners, after he had perused a copy of the Deed of the Grant in question, who therein informs Your Lordship that he had not found that the Brevet of Concession had ever been ratified.

On the whole the Committee humbly report to Your Lordship that it appears to them from the papers before them, that the seigneurie as described in the memorial was granted as therein set forth; but it no where appears that it has ever been confirmed by the Court of France; and as the tract in question is now in the possession of, and settled by discharged troops, loyalists and others, by order of Government, the Committee are of opinion that the prayer of the memorial cannot be granted. All which is nevertheless most humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 5th May, 1791.

Ordered to be laid on the table.

* Read the following further report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) on a petition from the Church Wardens of the Lutheran Church residing in the Township of Williamsburg in the District of Luneburg.

May it please Your Excellency: In obedience to Your Lordship's Order-in-Council the Committee on information received yesterday from Richard Duncan, Esq., Chairman of the Land Office Board of Luneburg, touching the application made by the Church Wardens of the Lutheran persuasion, as reported to Your Lordship the 14th February, humbly recommend that they may be permitted to build a church on the easterly half of a strip of land now vacant, and situated in the center of the Township of Williamsburg and that the westerly half of that strip may be reserved for the accommodation of any other religious sect who may be first able to build a place of worship upon it. All which is humbly submitted to Your Lordship's great wisdom.

HUGH FINLAY.

Quebec, 13th July, 1791.

Ordered by His Lordship, with the advice of the Council, that the Surveyor-General return a survey of the spot designated by the Land Committee as vacant, to be set apart for the use of the Lutheran Communion of Williamsburg in the District of Luneburg with liberty to them to erect a church thereon.

Read the following report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant).

May it please Your Lordship: Jacob Scheiffelin prays for Lot No. 33 and a half of Lot No. 34 in Carmarthen in Luneburg, to make up the remainder of 500 acres ordered to be laid off for him by His Excellency-in-Council of the 14th July, 1790. The Committee having examined the schedule of the Township of Carmarthen in Luneburg find that the Lots No. 25, 26 and 27 ordered to be laid off for the petitioner are set apart for a glebe, and lands for a school-master so that no part of those lots can be assigned to him, they find from the petitioner's representation that he has received a certificate in lieu of the claim he had on these lots, for a half of No. 34 and for the whole of Lot No. 35, in the 1st Concession, and for Lot No. 35, in the 2nd Concession of that township, which make up his 500 acres, and he further represents that the back of those lands are hilly, inaccessible and unimprovable, and prays for an equal quantity elsewhere to make up for that proportion that is not capable of improvement. The Committee humbly submit whether as there appears no proof before the Committee that the lands drawn by Mr. Scheiffelin are bad, his petition may not be transmitted to the Land Office Board of Luneburg, that he may from that

board obtain other lands should those he has received be deemed unimprovable.

Concerning lands purchased, reannexed or reserved by the Crown: His Lordship (adverting to the islands opposite to the Seigniorship of Sorel) observed upon the expediency of the Government being apprized of all such tracts and lots of land in the Province as have been either reannexed to the royal domain, purchased by the Crown or ordered to be reserved on account of their utility to the public: Upon which it was Ordered by the Land Committee by communication with the Surveyor-General's Office and the Commanding Engineer inform themselves of all tracts and lots of the description aforementioned, that they report a list thereof, and that in all cases of petitions for grants of land the Committee make it an object of inquiry whether the lands prayed for have been so purchased, reannexed, or reserved to the intent that in all future dispositions of the Crown Lands due attention may be had to the condition of all tracts and lots of the description aforementioned.

Read a return of persons employed in the Surveyor-General's Drawing Room, dated 1st August, 1791, and ordered to lie on the table.

Friday, the 14th October, 1791.

At the Council Chamber in the Bishop's Palace. Present: His Excellency Major-General Clarke, Lieutenant-Governor, and Commander-in-Chief, and The Honourable Hugh Finlay, John Fraser, Edward Harrison, William Grant, John Collins, Francis Baby, Adam Mabane, Samuel Holland, J. G. C. Delery, Le Cte. Dupré, Esquires.

His Excellency caused to be read a report of the Land Committee dated the 14th of February last (1791), entered in the Minutes of the 31st of March, upon the petition of Sir John Johnson, Bart., for a Grant of Isle Cochoy. Ordered, that the same be referred to a Committee of the whole Council to report with all convenient speed.

Read a report from the Land Committee dated the 23rd of September last on the petition of Lieut. McDonell. Ordered, that the same be referred to a Committee of the whole Council, to report with all convenient speed.

Read a report of the Land Committee dated the 13th inst., on the petition of Captain Brant for 3,450 acres lying at the head of Lake Erie adjoining a purchase lately made by the Crown from the Mississaga Indians. Ordered, that it be referred to a Committee of the whole Council to report with all convenient speed.

Saturday, 24th December, 1791.

At the Council Chamber in the Bishop's Palace. Present: His Excellency, Major-General Clarke, Lieutenant-Governor, and Commander-in-Chief; The Honourable William Smith, Esq., Chief Justice, and The Honourable Hugh Finlay, William Grant, Thomas Dunn, Francis Baby, Edward Harrison, Samuel Holland, John Collins, Chas. De Lanaudiere, J. G. C. Delery, Henry Caldwell, Le Cte. Dupré, Esquires.

Additional members to the Board of Mecklenburg: His Excellency The Lieutenant-Governor acquaints the Board that he has appointed Richard Cartwright, Sen., and William Atkinson, Esquires, to be additional members of the Land Board for the District of Mecklenburg.

Read a letter from the Land Board for the District of Hesse to His Excellency Lord Dorchester stating the difficulty of finding two proper persons to be appointed additional members of that board in the following words:

Detroit, 22nd July, 1791.

My Lord: In compliance with Your Lordship's directions signified to us by Mr. Motz's circular letter of 3rd March last, we find it our duty to represent to Your Lordship the great difficulty if not impossibility of finding two loyalists, U.E., whose residence is so near to Detroit, as to expect any aid from their attendance; and should this impediment be even removed we could not recommend two particular objects of the above description suitable for the trust. If therefore the appointment of two members other than loyalists, U.E., is deemed improper, we presume to submit to Your Lordship that three members may constitute a quorum for the Land Granting Department in this district, being now reduced to the actual residence and attendance of only five members, so that the casual absence, and such may be looked for, of any individual prevents the progress of any business, which may be pressed on the board.

In thus offering our opinion on this subject we find a warm impulse to assure Your Lordship that we trust the sentiments which actuate a quorum of any five of us will be found in that of three; and that an equal attention will be paid to that high liberality and equity which has always been the basis of the directions given to this board, and to which they endeavoured rigidly to adhere, while the business was entrusted to three members.

We have the honour to be, my Lord, Your Lordship's most obedient, humble servants.

(Signed) JOHN SMITH, WM. DUMMER POWELL, JOHN ASKIN, GEO. LEITH, MONTIGNY LOUVIGNY.

His Excellency Right Honourable Lord Dorchester, &c.

The Lieutenant-Governor acquaints the Council he has signified his consent that three members, as formerly, should be considered a quorum for the Land Granting Department in that district.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) upon the petition of Lieutenant-Colonel Butler for lands in Nassau.

May it please Your Excellency: In obedience to Your Excellency's Order of Reference of Lieut.-Colo. Butler's petition of the 5th of September last for a grant of land in the District of Nassau beginning at the southwest corner of a late purchase made by the Crown from the Missessaga Indians, lying between Toronto and the head of Lake Ontario, six miles on the lake, extending back 12 miles, or to the end of the purchase, to compensate him for the loss of 27,000 acres which he held in the Province of New York before the late war, but which have since been confiscated and sold, and were not included in an estimate which he delivered to the Commissioners for examining into the claims of loyalists.

The Committee upon a former reference of a petition from Lieut.-Col. Butler, dated the 12th November, 1787, praying for compensation for the lands mentioned in his last petition, reported on the 28th February, 1788, to His Excellency Lord Dorchester, stating that he valued these lands at £5,720 New York money, but the Committee considering that losses suffered by loyalists in consequence of the late troubles in the Colonies, now the United States, could not be compensated by grants of the waste lands of the Crown, under His Majesty's Instructions at that time existing, did not advise His Lordship to grant the prayer of Lieut.-Col. Butler's petition; and as matters with respect to the grants of lands in this Province remain as they were at the date of this

Committee's last report on the same subject, they are humbly of opinion that his request cannot be complied with. All which is nevertheless humbly submitted to Your Excellency's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 9th October, 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins, Grant and De Lanaudiere) dated 29th November, 1791, upon a reference of His Excellency Lord Dorchester, relative to the settlement of the waste lands of the Crown in the District of Hesse.

May it please Your Excellency: In obedience to the commands of the Right Honourable Lord Dorchester, signified to this Committee by Mr. Secretary Motz, in his letter dated 20th October, 1790, addressed to the Chairman and accompanied by sundry papers relative to the Land Granting Department in Hesse, referred to their consideration, they proceeded on the 22nd of that month to enter upon the examination of the papers laid before them, and continued to give that business all possible dispatch; but considering the length of time that this reference has been before the Committee, they beg leave to refer Your Excellency to the journals of the proceedings which state their progress and show the reasons why this business could not be sooner closed.

The Committee have been required to report with due particularity:

First: Upon the causes of the difficulties and impediments which appear to have obstructed the progress of the settlement on the important frontier of Detroit.

Second: The means of removing them, and giving effect to the several instructions issued from time to time respecting the settlement of the waste lands of the Crown in that district.

Third: To report concerning the object and intended use of the reservations in the late Indian cession in favour of the Hurons.

Fourth and lastly: To point out the practicability of such means as may be suggested for satisfying those Indians in any other part of the district and upon what terms.

And proceeding to enquire into the first object of the reference, the Committee find that His Excellency Lord Dorchester had given orders as early as the 15th of May, 1789, to Major Mathews then, commanding at Detroit, to lay out a township to be called George Town, on the east side of the Straight opposite to the Island of Bois Blanc, with directions, to follow, without delay a certain plan sent, but signifying at the same time that no portion of the township was to be disposed of to individuals previous to the satisfaction of the Indians for such claims as they might have to any part of the tract.

It appears further that the scite of the intended township had been ceded by the Huron and other Indians in June, 1784, to certain officers and others of the Indian Department who had served with them during the war; and it appears that His Excellency Sir Frederick Haldimand had, in August, 1784, directed the Lieutenant-Governor of Detroit (Mr. Hay) to give every encouragement to those officers and men to make immediate settlement on that tract, promising that their portions of the gift from the Indians should be confirmed to them in due time by proper deeds according to the King's Instructions.

It appears that in consequence of that encouragement the lands facing Bois Blanc were laid out in allotments and given in possession of those officers and men; and that possession was confirmed by Major Mathews in 1787, in consequence of orders from Lord Dorchester.

That the settlement was advancing until the rations and farming utensils, which had been issued for some time by order of Government to those settlers (loyalists who had served during the war), were withheld, upon which above one hundred young men unable, without that assistance to proceed in their improvements, left their lots.

It further appears from the information given by the Deputy Superintendent of Indian Affairs (Mr. McKee) to the Land Board of Hesse in 1789 that the settlement of the district could not be effected because all the soil was then claimed by the Indian Nations, and by individuals holding tracts under Indian Grants; and that Major Mathews had received orders to see that no settlers should be suffered to sit down in any part of the district before purchase thereof from the natives for the use of the Crown; and it likewise appears from what Mr. McNiff, the Deputy Surveyor of the district, had stated to the Board that no lands had been purchased from the Indians for the Crown before the 26th of May, 1790, consequently no location certificates could have been granted by the Land Board previous to that day, nor could the Board have proceeded to issue certificates previous to the general survey of the tract purchased from Catfish Creek on the north shore of Lake Erie, running along that shore and up the Streight to the River de Chenail Ecarté; which survey was not laid before the Board until the 30th of July, two months after the purchase had been made.

The following reasons have been assigned why but few Settlements have been made between that day and the month of May last:

First: The Land Board has not been able to obtain from the Deputy Surveyor of the district a return of survey of a single township to direct them in granting location certificates.

Second: That if ten farm lots are to be reserved in the Lands of the Crown in all townships situated upon a navigable river or water, as is directed by the Rules and Regulations of the 25th August, 1789, issued for the Conduct of the Land Office Department, a strict adherence to that rule will greatly retard the settlement of such townships because it would prove exceeding inconvenient to the settlers to have a space of more than two miles remaining uncleared between their farms and the river; on this representation from the settlers, the Land Board, as well as the Surveyor of the district, join in opinion with the people; and Mr. McNiff states that if that rule shall be followed up many people now in possession of cultivated farms under grants from the Commandants at Detroit, as well before as after the Conquest, and of those who sat down in the district under Indian grants, will be dispossessed, to the great annoyance of industrious individuals; and further, that if the tract at the River Canard, ceded by the Indians to the Crown in May, 1786, shall be given up to the Huron Indians in consequence of the reservation made in their favour by the Deputy Superintendent of Indian Affairs, their holding that tract will greatly retard the settlement of the lands lying upon and adjacent to the Streight of Detroit, and prove a great annoyance to the inhabitants of the intended County Town opposite to the Isle of Bois Blanc.

Thus having stated the reasons assigned for the slow progress hitherto made in the settlement of the District of Hesse, the Committee next proceed to the second object of the Reference, viz.: The means of removing the difficulties and impediments above enumerated.

They observe that as the main obstruction to the settlement of that frontier appears to have been removed by the late purchase from the Indians of the tract from Catfish Creek commonly called Riviere à la Chaudiere, extending westward to the mouth of the River Chenail Ecarté, it would seem that there

remains but to lay out townships in the most commodious situations in that tract for the accommodation of settlers; and further to direct that the three first ranges of concessions at least may be laid out in the manner recommended by Sir John Johnson in his letter to the Chairman of this Committee of the 27th of January last, so as to prevent difficulty in ascertaining with due precision the different lots therein contained.

It is humbly submitted to Your Excellency whether, considering the objection that settlers generally have to sit down in any place, where their communication with the river is barred by woodlands (as set forth by the Land Board and the Surveyor of Hesse), it might not be advisable to grant all the front farm lots in townships situated on navigable rivers and waters, the reserves to be made elsewhere within the tract, as the best means to draw settlers to the important frontier of Hesse; and further, whether it may not be expedient to confirm to the people now settled upon the River Canard and other places in that district the improved lands they actually possess, whether under Indian grants or otherwise, together with an additional portion of the waste lands appertaining to the Crown adjoining thereto to make a farm of two hundred acres in superficies.

The Committee conceive that it may not be improper under this head to remark upon Mr. McNiff's animadversions on the members of the Land Office Board of Hesse, under a notion that their want of knowledge in the business of land surveying is one of the reasons why the settlement of the district has hitherto been and may still be retarded; and giving his opinion that gentlemen in the commercial line, or having family connexions with persons in traffic, are unfit for a seat at that Board, insinuating that they may be actuated by apprehensions that the settlement of the country might affect the interest of people in trade.

The Committee do not concur with Mr. McNiff in that it is necessary for the members of the Land Office Boards to understand practical surveying. The Rules and Regulations issued for the Conduct of the Land Granting Department are full and explicit, so as to secure the utmost regularity in carrying on that business, where due attention is given thereto by the surveyors and others concerned in the execution thereof.

The Committee consider the gentlemen who compose the Land Board of Hesse to be in every respect adequate to the trust reposed in them by His Excellency Lord Dorchester and well meriting that confidence from their general knowledge from their situations in life, and from their through acquaintance with the true interests of the country in general, and of the District of Hesse in particular.

It appears by the proceedings of that board, which have hitherto been referred to this Committee, they have never lost sight of the interests of the Crown; and they have done their best endeavours to remove every obstruction and obviate every difficulty that appeared to impede the settlement of the important frontier of Detroit.

Third: Upon the third object contained in the Order of Reference, viz.: To point out the intended use of the Reservations in the late Indian Cession. Mr. McKee, the Deputy Superintendent of Indian Affairs, has set forth that it would have been impracticable to obtain from the Indians the extensive tract from Catfish Creek to the River of Chenail Ecarté (which they gave up to the Crown in May, 1790) unless he had agreed to the condition they had stipulated, vizt., that the tract, which had been ceded to the Crown in May, 1786, lying on the River Canard, of seven miles square or thereby, should be given up for the use of the Huron Indians, that he conceived himself vested with full power and

authority to agree to that condition by virtue of Lord Dorchester's Order relative to the purchase to be made from the Indians, "That all possible regard should be had to their ease and comfort."

And Mr. McKee states that the Hurons had ever considered that tract to be essential to their comfort—their sole intention in ceding it in 1786 was to have it put into Mr. McKee's hands to prevent encroachments by the settlers in the neighbourhood. The Committee do not find from any other communication before them the uses proposed to be made of the tract in question.

Fourth: On the fourth and last object of the reference, viz.: The practicability of satisfying the Huron Indians in any other part of the district. The Committee find by a letter from Sir John Johnsons, dated in February last, that he is of opinion it would be difficult to prevail on the Huron Indians to give up the whole of the tract reserved for their use, yet he imagines they may be brought to relinquish as much of it as may answer for the site of a town. The Deputy Surveyor of the district states that he conceives the Indians may be induced to quit claims totally for a trifling consideration, seeing they may be well provided with land at the River Chenail Ecarté on the northeast shore near the entrance of Lake St. Clair.

The Land Board of Hesse likewise consider that it is practicable to satisfy the Indians, and for that end suggest the expediency of treating with the Chiefs of the Chippawa and Ottawa Nations who were parties as well to the Deed of Cession of the seven-mile tract in May, 1786, as to the Cession of the great tract in May, 1790. The Board at the same time conceive that it may be necessary to allow them a consideration which they probably looked for when they ceded the tract in May 1786, which the Indians do not consider as compensated by the presents made them in 1790.

The Committee beg leave to observe to Your Excellency that although with the Land Board of Hesse they consider the tract ceded by the Indians in May, 1786, to be vested in the Crown, yet as it has been set forth by the Deputy Superintendent of Indian Affairs (who had full power and authority to treat with the Indians for the purchase of the large tract ceded in May, 1790), that he had found it necessary to reserve the tract at the River Canard for the use of the Huron Indians, it appears advisable that the said Reservation be confirmed to them in due form, provided they cannot be induced to relinquish it, but as it has been stated by the Land Board of Hesse and by the Deputy Surveyor of the district that should the tract in question remain in the possession of Indians, the settlement on the Frontier at Detroit would be greatly retarded, and the people who are already fixed there be much incommoded by their neighbourhood, this Committee, on the whole, humbly recommend that Sir John Johnson, the Superintendent of Indian Affairs, may be instructed to direct the Deputy Superintendent at Detroit to do his utmost endeavours to persuade the Huron Indians to relinquish their present claim to the seven-mile tract at the River Canard; and in conjunction with the Land Office Board for the district to hold up as an inducement thereto a grant of a tract of equal extent upon the northeast shore of the entrance of Lake St. Claire, and that they may be vested with joint authority to make such other compensation as may appear necessary to accomplish the great object in view. All which is nevertheless submitted to Your Excellency's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 29th November, 1791.

Journal of the proceedings of the Land Committee upon His Excellency The Right Honourable Lord Dorchester's Order of reference of the 20th October, 1790, of certain papers transmitted to the office of the Governor's Secretary by the Land Board of Hesse relative to impediments that have kept back the settlement of the lands on the east side of the Streight of Detroit.

Friday, 22nd October, 1790. Present: Mr. Finlay, in the Chair; Mr. Collins, Mr. Grant.

Read Mr. Secretary Motz's letter to the Chairman, words following:

Sir: The papers herewith sent relative to the transactions in the Land Granting Department in Hesse are referred by His Excellency the Governor to the consideration of the Land Committee, who are to make full investigation into the causes of the difficulties and impediments which appear to have hitherto obstructed the progress of settlement in that important frontier, and to report the same with due particularity, with their opinion, on consulting with the Surveyor-General's Office of the best means of removing them, and giving effect to the several instructions issued from time to time respecting the settlement of the waste lands of the Crown in that district.

It having been suggested that the Reservations in the late Indian Cession in favour of the Hurons may be very inconvenient to the County Town of Hesse, on that side of the Streight and to the Indians themselves, His Lordship, with a view of serving both them and the common interest, authorizes the Land Committee to correspond with the Land Board of Hesse, as well as with Sir John Johnson and any other persons from whom they may hope for full information concerning the object and intended use of those reservations as well as the practicability of such means as may be suggested for satisfying the Huron Indians in any other part of the district and upon what terms.

And the Committee are in their report to subjoin the whole of their correspondence upon this subject, and make it known to all from whom they may desire any information, that their communications will be put upon the public files of that Branch of the Council Office, which relates to the grant of the waste lands of the Crown. I am, etc.

The papers mentioned in the schedule of the inclosures were laid upon the table:

1. Letter from His Excellency Lord Dorchester to the Commanding Officer at Detroit, dated the 15th May, 1789.
2. Extract from the Minutes of the Land Board of Hesse of the 14th August, 1789.
3. Letter from the Land Board of Hesse to His Excellency Lord Dorchester, dated 28th August, 1789, with three inclosures marked A, B, C.
4. Instructions to the Land Board of Hesse, dated 2nd September, 1789.
5. Letter by Order of His Excellency Lord Dorchester to the Land Board of Hesse, dated 5th October, 1789.
6. Letter from the Land Board of Hesse to His Excellency Lord Dorchester, dated 17th October, 1789.
7. Letter by Command of His Excellency Lord Dorchester to the Land Board of Hesse, dated 21st January, 1790.
8. Report from the Land Board of Hesse, dated 1st June, 1790, inclosing their Minutes to that date.
9. Continuation of the Minutes of the Land Board of Hesse to the 12th August, 1790.
10. Minute of a Council held with the Indians near Detroit, dated the 19th May, 1790.

11. Original Deed of Cession of Indian Territory in the District of Hesse, dated 19th May, 1790, with a plan of the tract endorsed thereon.

12. Letter from the Indian Agent at Detroit, dated 25th May, 1790.

13. Letter from Mr. William Robertson, one of the members of the Land Board of Hesse, dated the 7th June, 1790.

14. Letter from the Acting Surveyor of the District of Hesse to Mr. Deputy Surveyor-General, dated 21st September, 1790, with seven inclosures numbered 1 to 7.

Read a note from Mr. Secretary Motz to the Chairman:

Sir: Mr. Robertson, one of the members of the Land Board of Hesse, being now in town on his way to England, the Committee will have an opportunity of communing with him on the subject of the references now sent respecting that district.

Mr. Robertson, at the desire of the Chairman, attended the Committee, and Mr. Motz's letter of the 20th instant, together with the Minutes of the Land Board of Hesse having been read in his presence, he was requested to inform the Board what he knows relative to a certain portion of land of seven miles square mentioned in the Deed of Cession of a large tract lately made at Detroit to the Crown by the Indians of the Pottawatomie Nation, the Chippawan Nation and the Ottawa Nation on the 19th of May last, which portion of seven miles square is reserved as necessary for the comfort of those Nations and other Indians.

Mr. Robertson replied that he considers the portion supposed to be reserved for the use of the Indians lying within the bounds of the tract ceded by the above-mentioned deed of the 19th of May last, to have been vested in the Crown, by a former Deed granted the 15th May, 1786. He further says he by no means conceived the reserve mentioned to be necessary for the comfort of the Indians now more than it was at the time it was ceded in May, 1786, when the Indians themselves, whose property it then was, voluntarily pressed it upon the Indian Agent, Mr. McKee, as appears by his memorial transmitted to the Land Board of Hesse, and of which he accepted a grant in the name and for behalf of the Crown.

Mr. Robertson observes that if the tract (already the Crown's) were to be given back to the Indians, it would greatly impede the settlement of that important frontier by taking away the means of establishing a Fort and Garrison at the fittest place as pointed out by the Chief Engineer of the Province at the very spot which commands the water communication, being as it were the key to the upper countrys. Were it to be ceded, the chain of settlement would be broken where it ought obviously to be the strongest.

Mr. Robertson further adds that obstructions to the settlements there have been thrown in the way and objections made to the proceedings of the Land Office Board of Hesse by interested persons claiming right to extensive tracts under grants from the natives, which they wish to retain, and so make traffic of the waste land of the Crown, which cannot be held by individuals under any title originating by grant from the Indians.

Mr. Robertson referred to the Minutes of the Land Board of Hesse and to the papers which were transmitted to the office of the Governor's Secretary for the statement of the transaction, relative to the Deed of Cession of the tract in question. Mr. Robertson then withdrew.

Weekly meeting of the Land Committee on Friday, 26th November, 1790.
Present: Mr. Finlay, in the chair; Mr. Collins, Mr. Grant. Mr. De Lanaudiere.

The Chairman observed to the Committee that as their time had been

wholly taken up in attending public business previous to the departure of the last ships for England which had long prevented them from attending to the land business, he proposed to get quit of sundry petitions that had been sent in since the 22nd October, the day on which they entered upon the consideration of the transactions of the Land Board of Hesse, before they should resume that business, which was agreed to.

Read again Mr. Secretary Motz's letter addressed to the Chairman of this Committee, dated the 20th October, together with all the papers therein mentioned referred to the consideration of the Committee, viz.: Papers No. 1, 2, 3 with inclosures 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14. The day being far spent in reading those papers, the Committee deferred the further consideration of them until Friday next at ten o'clock.

Weekly meeting of the Land Committee, on Friday, 3rd December, 1790. Present: members as at the last meeting.

Resumed the consideration of the business from the Land Office Board of Hesse and began with the papers noted in the schedule annexed to Mr. Motz's letter or order of reference of 22nd October, conformable to the Resolve at last meeting.

Read a letter from His Excellency Lord Dorchester, No. 1, to Major Close, dated Quebec, 15th May, 1789, with order to lay out a township opposite to the Isle of Bois Blanc, District of Hesse, to be called George Town, with as little delay as may be according to the plan sent; further ordering that claims on the part of Indians to any lands in those parts to be satisfied previous to the disposal of any part of the township of which claims Mr. McKee, Deputy Superintendent of Indian Affairs, to be duly notified, in case Sir John Johnson's orders and instructions to him may have miscarried.

Read Paper No. 2. Extracts from the Minutes of the Land Board of Hesse, 14th August, 1789, where it appears that the land pointed out for the township of George Town was not then bought from the Indians (as Mr. McKee informed the Board), and that he had not received any directions from Sir John Johnson relative thereto, but he gave the Board to understand that the Indians had disposed of that land to certain officers and others who had served with them during the late war by a written Deed, dated the 7th June, 1784. The Board of Hesse forebore to give orders to the Deputy Surveyor of the district to lay out George Town, as they found (by a letter from His Excellency Sir Frederick Haldimand to Lieutenant-Governor Hay of Detroit, dated 14th August, 1784) it was enjoined that all due encouragement should be given to Captains Caldwell and Elliot to settle on that land; meaning the land now pointed out for the site of George Town.

In consequence of that letter it appears that Lieutenant-Governor Hay did order Mr. Fry to lay out four lots of six acres in front each for Captains Bird, McKee, Caldwell and Elliot; but that those gentlemen at that time actually occupied forty acres (ten each) in front, the whole space opposite to the Isle Bois Blanc, by special promise from the Indians, in the possession of which they were secured so lately as 1787, by Major Mathews, then acting under written Instructions from Lord Dorchester, as the Board of Hesse sets forth; so that they could not under such circumstances press obedience to the Instruction transmitted for laying out George Town.

No. 3.—Read a letter from the Land Board of Hesse to Lord Dorchester, dated 22nd August, 1789, stating that until the arrival of Mr. McNiff, the Deputy Surveyor (which was but lately), they could not proceed to business; that their

progress was obstructed in consequence of information from Alexander McKee, Esq., Deputy Superintendent of Indian Affairs, that none of the lands in Hesse had yet been purchased from the Indians for the Crown, although they had been parcelled out in large grants to individuals by the Indians, so as to leave none unclaimed from Long Point on Lake Erie, all the way to Lake Huron. They therefore postponed the settlement of these lands until the right of soil should be purchased from the Natives. The Board adds, that before they were aware of the difficulty started by Mr. McKee, they had, upon the petitions of individuals (from the States as this Committee apprehend) made promises of grants of lots, on their return with their families, and that it might be in their power to keep faith with those people (whom they expect next spring) (1790), not doubting but that all impediments would be removed in the course of the winter, the board proposed to direct Mr. McNiff to proceed immediately to the survey of some townships and to number the lots, that the settlers coming in from the States (where the printed Instructions for the Conduct of the Land Office Department are in general circulation) might be immediately settled.

Read a paper marked A (one of three inclosures in the letter above mentioned), being the copy of a letter from Governor Sir Frederick Haldimand, dated 14th August, 1784, to Mr. Hay, Lieutenant-Governor of Detroit, stating that Capt. Caldwell, of Col. Butler's late corps, one of the officers to whom the Hurons and other Indian Chiefs had given a tract of land of seven miles square at the mouth of the River Detroit for the purpose of settling amongst them, had applied to him for his sanction to settle thereon; that though not in his power to gratify the wishes of the persons concerned, and of the Indians on that head, by confirming their gift immediately, yet he considered the intended settlement might prove of infinite utility to the strength and interest of the Province, and therefore wished to give it every encouragement in his power; that he had agreed that His Majesty's loyal subjects dismissed from the service should carry on their improvements, until the land could be laid out and granted according to the King's Instructions. Lieutenant-Governor Hay was directed to give orders for that purpose, and that Mr. McKee should be directed to get the Indians to make over to the King the land in question for the purpose they wished. But it was to be made known at the same time that two thousand yards from the center would be reserved on all sides for the purpose of establishing a Post, which from Captain Caldwell's information would be necessary at the entrance of the river.

Friday, 10th December, 1790. Present: Mr. Finlay, in the Chair; Mr. Collins, Mr. Grant.

Read paper marked B (one of three inclosures in No. 3) endorsed: "Letter from Lieutenant-Governor Hay to the Deputy Surveyor, Mr. Fry," being an order to measure off certain lots for the gentlemen designed by the Commander-in-Chief to settle on the lands near the mouth of Detroit River, given by the Indians to the King for that purpose, that they may make improvements to begin at the lower end of Captain Caldwell's field, measuring due south all the way to Lake Erie.

Read paper marked C (another of the inclosures in No. 3) endorsed: "Copy of Instructions from The Right Honourable Lord Dorchester to Major Mathews, 28th August, 1788," directing that every possible encouragement be held out for settling on the east side of the River Detroit, and to discourage (but with prudence and address) those who settle near us on the other side. No settlers on any account to place themselves on land belonging to the Indians, before it shall have been purchased from them for the Crown's use; directing further to report on a number of claims respecting lands and lots in the settlement of Detroit,

upon which houses are built and state the particulars of each, with an opinion thereon, distinguishing those within our line from those without. Also to report the progress made by some loyalists in their settlement on a spot originally proposed for this class of men on the east side of Detroit River and to state his ideas fully of what may be done for its further encouragement, as well as for establishing a military post in that quarter.

Read a letter (marked No. 4) from Lord Dorchester to the Land Office Board of Hesse, 2nd Sept., 1789, instructing the board to consider a tract of land west of Niagara on the banks of Lake Erie and towards Lake Huron; to be surveyed and parcelled out for the accommodation of loyalists and others, taking care to comprehend within that tract all lands possessed or claimed by individuals under pretence of private purchases, or of grants from Indians, on the side opposite to the Post of Detroit, no part of which is to be granted to individuals until ceded to the Crown by the Indians. Mr. McKee, the Officer of the Indian Department, to be called to know the temper and disposition of the Indians, and ascertain the extent of country to be treated for consistent with their comfort; and Mr. McKee will then take the necessary steps to obtain from the Indians their clear and compleat cession to the Crown. Next, the board is to chuse a proper scite on the east side of the Streight of Detroit for a County Town; which, from its preferable situation, is recommended by His Lordship to be opposite to the Island of Bois Blanc, but lest its unhealthiness, or other circumstances may render that situation not eligible, the board will then consult the magistrates, officers of militia and others as to a more proper scite and fix it by a majority of the board so formed, and when so fixed, the Surveyor will proceed to lay out the township, when certificates will be granted for town and farm lots, according to the general Instructions. Directing further that as many settlements have been made in the tract or extent of country above ordered to be surveyed and laid out, under pretence of right derived from grants made by Indians, applications may be received from the occupants for grants, stating the extent and value of the tracts and improvements and the grounds of their claims; and the board are to give certificates including the improvements and to proceed according to general instructions as to all other vacant lands of the Crown.

Read No. 5, letter, 5th October, 1789, from Henry Motz, Esq., to the Land Board of Hesse, referring them to the Instructions of 25th August and 2nd September, which (as he notes could not have reached the board when they sent their report, the 28th August) will serve to obviate the difficulties suggested in their report.

Read No. 6. Letter from the Land Board of Hesse to Lord Dorchester, 17th October, 1789, owning receipt of His Lordship's letter of 2nd September, and stating the impossibility of issuing certificates to individuals because the whole tract of land from Pointe au Playe (Pele) in Lake Erie to Lake Huron (and that for some distance from the water) is occupied or claimed under Indian grants, and setting forth that until the validity of such claims can be decided upon the settlement of the country cannot be effected in conformity to the directions contained in the letter of the 2nd September; therefore praying that the Board may be vested with power to enquire into and settle those claims as they may occur, and to proceed on the guidance of their own judgment in cases where difficulties may start up, that have evidently escaped Lord Dorchester's animadversion, or where delay would be hurtful to the progress of the settlement of the Colony.

Read No. 7. Mr. Secretary Motz's letter to the Land Board of Hesse, dated 21st January, 1790. His Lordship leaves it to the Board of Hesse to use the prudent exercise of their authority in all cases where, on account of the remoteness of the distance, unforeseen circumstances may render it necessary; but His Lordship does not perceive any equitable claims (from the information hitherto transmitted) within any other purchases or cessions, than in that of *June, 1784; consequently the Board will find scope for their trust to operate in every other part of the district. The letter was accompanied with Mr. McKee's Memorial and Deed for the tract ceded† by the Indians to the Crown on the 15th May, 1786, for the consideration and proceedings of the Board agreeably to the general Instructions.

Read a letter, No. 8 (1st June, 1790), from the Land Board of Hesse (consisting of W. D. Powell, William Robertson and Alex'r Grant) to Lord Dorchester, informing His Lordship that they had ordered an early report of a survey of the front of a tract purchased from the Indians, and as soon as they shall be in possession of it they will proceed to grant locations; and further praying His Lordship to obtain from the Indians, for the welfare of the loyalists and of the settlement, an unreserved cession of the tract‡ of the waste land near the church, leaving to them a building for public worship.

This Committee learn from the Minute of the Land Board of Hesse of the 14th August, 1789, that the land intended for the scite of George Town as mentioned in Mr. Motz's letter, 15th June, has not as Mr. McKee informed the board been purchased from the Indians, and that he had then no Instructions from Sir John Johnson to that effect, but he gives information that the Indians had divested themselves of the land in question in favour of certain officers, who had served with them during the war, by Deed of Cession, the 7th June, 1784, and stating that Sir Frederick Haldimand (on the 14th August) had enjoined Lieutenant-Governor Hay to give all due encouragement to Captains Caldwell and Elliot to settle on the land now pointed out for the scite of George Town and that in consequence thereof, forty acres in front being the whole space fronting the length of the Isle Bois Blanc (the intended scite of George Town) was granted by the Indians to officers that had served with them during the war, and the possession of that tract was confirmed in 1788 by Major Mathews, by authority from Lord Dorchester and therefore the board defer any further progress until they shall be instructed how to proceed, supposing that it is not in contemplation to dispossess the present occupiers.

The Board find no waste lands of the Crown within the late purchase, free from Indian claims, or other claims, so that they cannot go on to give locations in terms of the general Instructions, until a purchase is made from the Indians, and the claims of others, under Indian grants are settled, in the tract from Long Pointe in Lake Erie to R. Chenail Ecarté in Lake Huron, but nevertheless they think that Mr. McNiff should be ordered to make a survey of and lay out a range of townships from the center of Long Point moving on round the lake towards the Detroit, or, at the extent of the land allotted by Major Close, moving down the lake to Long Pointe.

By the Minute of the 21st May, 1790, it appears the board were informed by letter from Mr. McKee that a cession of the tract of land west of Niagara on the banks of Lake Erie towards Lake Huron was completed according to the

*Cession to Officers and others of the Indian Department.

†At the River Canard.

‡About a mile in front and 120 acres in depth.

*limits specified in a Resolve of the Board of 7th December, 1789, except the land between the Huron Church and the River au Jervais, being 120 acres in depth, reserved for the Hurons, together with a tract† beginning at the Indian officer's land running up the Streight to the French settlements, seven miles in depth.

Per Minute, 22nd May (pages 24 and 25). The Board seeing the reserves take up the whole of the space proposed for the scite of George Town resolve to inquire of Capt. McKee the reason for admitting those reserves, and to know the intended use thereof. Or if it should be considered that these reasons ought not to be imparted to the board, that then he be directed to communicate the same to Lord Dorchester. Further, that the surveyor be enjoined to report a survey of the front of the tract lately ceded to the Crown marking the boundaries of each township from Long Pointe to the Lake Huron.

In a letter of the 23d May to the board, Mr. McKee informs them that he had found it to be impracticable to obtain so extensive a tract as has been described without paying some attention to the claims of the Indians, besides complying with the express orders of the Governor, viz., "That all possible regard shall be had to their ease and comfort" which would have been materially affected, had not the reserves been made as they were.

The Minute (page 28) states that in the opinion of the board the reserves cannot serve for the comfort of the Indians, and that they cannot be of any utility to them (and in pages 29, 30 and 31), the Board give reasons for that opinion; but the President, Major Murray, objects to the entry in toto, and Mr. Grant to a part of it, as he thinks all information or opinions relative to Indian concerns ought to proceed from the Deputy Superintendent of Indian Affairs, and Major Murray conceives the Land Board of Hesse ought not to presume to advise the Governor on subjects so intimately connected with the Indian Department, and he sets forth that from the reports he has seen from that Department the Governor's Instructions have been executed in the most advantageous manner for the Crown, and that the most effectual means have been adopted for securing the comfort and peace of mind of the Indians, and the undisturbed enjoyment of the farms of the white inhabitants by the Agent for Indian Affairs in the late purchase.

On this information the Land Committee Resolve that the chairman, by the first opportunity, request of Sir John Johnson in the name of the Committee to favour them with his opinion touching the object and intended use of the reservations made in the last grant or cession of lands by the Indians near Detroit in May last, and in order to shew to Sir John how that request is founded, the chairman will at the same time transmit to him a copy of Lord Dorchester's Order of Reference to this Committee of the 20th of October, together with a Copy of Mr. McKee's letter of 25th May to the Land Board of Hesse. And the Committee resolve further that Sir John Johnson be entreated to give his opinion of the best means for satisfying the Hurons in any other part of the district in lieu of the reserves made in their behalf and on what terms, with any other information Sir John may think proper to communicate on the whole scope of the reference.

In the 6th page of the Minutes of the Land Board of Hesse, it is stated that the board after having waited fourteen days after the return of Mr. McNiff, the surveyor, from the survey directed by the board on the 22d May, requested Mr. McNiff's attendance, who informed the board that he had, in obedience to

*At the River Canard.

†From Catfish Creek to R. Chenail Ecarté.

a written order from the Commandant at the Post (Major Murray), proceeded to the survey required by the Minute of the board, but that he could not communicate to the board his progress, which by the general instructions must come to them through the office at Quebec. Upon which the board, on the 2d of July, gave instructions to Mr. McNiff to report a survey of the front of the tract lately ceded to the Crown, beginning at Long Point on Lake Erie and continuing it to the commencement of the old French Settlements opposite to Bois Blanc, to be guided in the course of the survey by the Article of the Rules and Regulations for the Land Office Department of the 17th February, 1789, and the 3d Article of Additional Rules and Regulations of 25th August and also instructed him to report a variety of information required by Mr. Motz's letter of the 19th January, 1790, which can only be done through the medium of the Acting Surveyor. The heads of the information required were delivered to Mr. McNiff and pressed upon him for his attention thereto, to enable the board to report upon his information on the subject.

Friday, 31st December, 1790. Mr. Collins still confined to his house, and Mr. Finlay being yet unable to go abroad, it was agreed that Mr. Grant should meet Mr. Finlay the next day, to proceed on the examination of the papers from Hesse.

Saturday, 1st January, 1791. Messieurs Finlay, Grant and DeLanaudiere proceeding to read the papers referred to the Land Committee the 20th October, they took up the Minute of the Land Office Board of Hesse, Paper No. 9, beginning where the Committee had left off the 10th of December (page 15, Minute of the 16th July). The board in that day's Minute declare their intention to make enquiry of the persons interested in the rumours concerning disturbance given by Indians to certain settlers in and about the new settlements who have (as has been said) been threatened by the Indians, that the board may be enabled to inform Sir John on his return from Michilimakinac how that matter stands that a remedy may be applied to the disorders complained of.

The board went into a full explanation of their objections to the reserve made at River Canard but the further consideration of that matter is referred to the next attendance of Sir John.

Minute of the 30th July. The Deputy Surveyor, Mr. McNiff, starts a difficulty in proceeding on the survey ordered by the board the 2d July. He says there is no point fixed for the beginning or for the ending the survey; and moreover, he does not know the extent of the grants made to or claimed by the Indian Officers opposite to the Island of Bois Blanc, but that if they extend seven miles back they will encroach upon the cultivated farms of other settlers who have had lots granted to them by Government. Captain Elliot informs the board that the Deed to the Indian officers extends seven miles, but he is of opinion that none of the claimants under that Deed will wish to disturb any settler placed by Government within its extent.

The board are of opinion (without deciding on the pretensions of the claimants under the Deed of 7th June, 1784) they may with propriety direct the Deputy Surveyor to begin to run his lines north from the lake at the western boundary of Lot No. 97 in the occupation of John Cornwall and an order of the board was issued to Mr. McNiff accordingly the 30th July, 1790.

By the Minute of the 11th of August, 1790, Sir John Johnson present, the above Order of 30th July was amended.

Minute of 13th August. Major Smith, President. Some means to be adopted to prevent future disputes with the proprietors of water lots for their rear concessions.

Paper No. 10 referred, is the proceedings of a Council held at Detroit, the 19th May, 1790, with sundry Indian Nations upon the cession of a tract of land extending from Lake Erie to the Chenail Ecarté as far as its first southern fork, thence by an east line to the River La Tranche, and along that river until it meets the line of the Missassaga purchase. Mention is made by Major Murray, that such part of the territory which the ancestors of the ceding Indians, granted to the Hurons, as they have found now requisite for the general good, is reserved for their occupation.

This reserve is explained by Egoucheouai, Chief of the Ottawas, the speaker, to be from the Church on the east side of Detroit River, to the River Jervais, as well as a piece of land commencing at the River Canard extending upwards to the line of the inhabitants.

Paper No. 11 is the plan of the tract ceded to the Crown by the Indians. No. 12 is a copy of a letter dated at Detroit, the 25th May, 1790, from A. McKee to Sir John Johnson, Bt., assigning reasons why the reservations of certain tracts of land on the east side of the River Detroit were made for the use of the Hurons in the territory ceded to the Crown by the Lake Indian Nations the 19th May last, viz., The orders of Government for purchasing that tract could not have been carried into execution without these reservations, and without them the Hurons would not have acceded, and the other Indians would not have acquiesced. Mr. Kee further states that the intention and express purpose of the Deed of cession of the tract in question made to the Crown in 1784 was in trust to him, to secure the Indians from encroachments by white settlers.

Paper No. 13. A letter from Mr. Robertson, a member of the Land Board of Hesse, to Mr. Secretary Motz the 7th June 1790, inclosing a letter which he wrote to Mr. Smith, Clerk of the board, stating that Mr. Smith had told him that he had drawn a Deed of Cession for the land to be purchased of the Indians agreeable to the Minute of the Land Board of 7th December, 1789, without any reservations, but that the Deed had been altered and reservations made without the board's privity, for which reason he requests his name may be taken from the Deed to which he had signed as a witness, thinking that it corresponded with the Minute above mentioned of the 7th December, 1789.

Paper No. 14. A letter from the Deputy Surveyor of the District of Hesse, dated 21st September, 1790, addressed to Mr. John Collins, Deputy Surveyor-General, with 7 inclosures (1 to 7 inclusive). The scope of the letter is to shew the Surveyor-General's Office that the slow progress made to that period in settling the waste lands of the Crown in that distant quarter is not to be attributed to the Surveying Department. The board had no land to grant before the 26th May. They took from that day to the 2d July to form an Order of Survey. He regards three of the members of the Land Board as inadequate to the business (Messrs. Powell, Grant and Robertson), which they themselves on the 10th of August were obliged to own, as he states. They have sat fourteen months without settling a single lot. The first Order of Survey was imperfect and inexplicit, and could not be executed. On the 30th July its defects were made known to the board (excepting that which referred to the General Plan of Survey). There was no direction for the course of the front lines of the lots of the townships to be laid out. If the General Plan is to be carried into execution throughout the settlement of many families will be deranged and ruined. And the board was advertised of this prior to that order of 2d July. He offered his service to assist in making out the orders of survey. His offer was taken amiss by Mr. Powell.

A regular plan of the shore of the country (which the board wanted to be surveyed and subdivided) was laid before the board on the 30th July, and at the same time the plan adopted for the general form of townships fronting on Lakes or Rivers and explained both, to shew the impracticability of carrying their order of the 2d July into effect, without removing the inhabitants, by which they would be to a man ruined; that the new form or plan was intended by Government to take place only where no former settlements had been made. That the people forming the new settlements in question were composed of disbanded soldiers and loyalists, and were settled there by authority from Government in 1787, when ninety-seven lots were laid out in the best manner that could then be done by the best surveyor they then could find (not so professionally); and the faith of Government is pledged to these people for peaceable enjoyment of their lots.

After the second Order of Survey which was more inexplicit than the first (which he communicated to a member of the board, Mr. Robertson), he remained inactive until the 10th August, when Sir John Johnson sat as President of a board called that day. He thinks a person of professional and official knowledge would be a good acquisition to the board; or, that the surveyor of the district may have authority to point out to the board when issuing instructions such things as may be necessary to give clearness and method to their proceedings.

He adds this remark, "until one or other is the case, I dare to affirm the Land Board under the directions of the former three ruling members will not in three years if left to themselves place three families more on the land than are already there."

He assigns three reasons why the present Land Board are unequal to the settling of the country: 1st. Their deficiency in knowledge of the business of the Surveyor-General's Department. 2nd. Persons in trade, or having been in trade, or having family connections in trade will rather retard than forward a settlement which will injure the present trading interest. 3rd. The Land Board is composed of too many individuals—one person only without family connections whose private views he might be led to favour would soon alter the present face of affairs for the better in that country.

Mr. Collins and Mr. Grant considered the report of the Land Board of Hesse (or rather their opinion as stated in the copy of their Minutes) referred by Lord Dorchester to the Land Committee 20th October for report; and having perused the draft of a report on the situation of the rangers, loyalists and others, intended to be presented to Lord Dorchester in Council as the opinion of this Committee. Mr. Collins and Mr. Grant approved it and ordered it to be engrossed and delivered to Mr. Motz this 3rd January, 1791, which was done accordingly. H.F. in the Chair.

Friday, 14th January. The Committee met. Present: Mr. Finlay in the Chair, Col. Caldwell, Mr. Grant. The Chairman submitted the draft of a letter to Sir John Johnson in the name of the Committee, which being read was ordered to be sent.

Quebec, January, 1791.

Sir: By Order of the Land Committee, I have the honour to transmit to you a copy of His Excellency Lord Dorchester's Order of Reference to them of the 20th of October last, together with the Resolve of the Committee of the 10th of December in consequence of that reference.

I have been also charged to request you may have the goodness to inform them of the causes of the difficulties and impediments (if any have come to your

knowledge) that have hitherto obstructed the progress of the settlements on the east side of the Streight of Detroit.

The Committee likewise wish to be favoured with your opinion upon what you conceive to be necessary to effect a regular and full survey of the Crown Lands agreeable to His Majesty's Instructions on that head. They further wish to know whether you do not think that it would be sufficient for the purpose of settling such people as may have come into the Province since the Peace, and of those who may come into it hereafter from the United States with an intention to become settlers under the late Act of Parliament published in the *Quebec Gazette* the 14th October last. The front line of every township shall be run out and well marked and the width of the lots be set off upon that line by stakes or other marks well fixed and numbered, running the side lines of those lots back for a distance of two or three chains perpendicular to or at right angles with the front line, to serve as a sufficient direction for finding any lot in any of the different concessions, or ranges of lots that may be contained within the township.

I have the honour to be, Sir, etc.

Mr. Grant proposed that a letter be written by the Chairman in the name of the Committee to the Land Office Board of Hesse, and the following was accordingly agreed to:

Quebec, 19th January, 1791.

Gentlemen: By order of the Land Committee I have the honour to transmit to you a copy of His Excellency Lord Dorchester's Order of Reference of the 20th of October last and to request information from your board touching the matters stated therein to enable this Committee to report as soon as may be thereupon with due precision as has been commanded.

The Committee likewise wish to know what your board conceives to be such a survey of the waste lands in the District of Hesse as might be sufficient to effectuate their settlement at the least expence to Government. I have the honour to be, etc.

Likewise a letter to Mr. McNiff, the Surveyor of Lands in that district, to be as follows:

Quebec, 19th January, 1791.

Sir: I herewith transmit to you by order of the Land Committee a copy of His Excellency Lord Dorchester's Order of Reference to them of the 20th of October last.

The Committee wish to receive from you as Surveyor in that district, information relative to the difficulties and impediments that may have obstructed the progress of the settlement on the east side of the River, or rather the Streight of Detroit, and that you may give them your opinion as to the best means of removing those impediments if any remain. I am, Sir, etc.

Resolved that the further consideration of the matters contained in the reference now before this Committee upon the Land Office business of Hesse, dated the 20th October, be postponed until answers can be received from Sir John Johnson, the Land Board of Hesse, and Mr. McNiff, the Surveyor.

Friday, 4th February, 1791. Present: Messrs. Finlay, Collins, Caldwell, Grant and De Lanaudiere.

Mr. Finlay laid before the Committee Sir John Johnson's letter of the 27th January in answer to one of the 19th, written by direction of the Committee:

LETTER FROM SIR JOHN JOHNSON

Montreal, 27th January, 1791.

Sir: I have the honour to acknowledge the receipt of your letter, by order of the Land Committee of the 19th instant, inclosing a copy of Lord Dorchester's Order of Reference to them of the 20th of October last, together with the Resolve of the Committee of the 10th of December in consequence thereof, which I would have answered by the return of the post, but for the departure of the express on that day for the Upper Districts.

I have the honour to observe in answer to your request in consequence of the Resolve of the Committee, that, as my opinion must be founded more upon official information than any other knowledge I could have acquired on the subject, I cannot give the Committee more satisfaction than by transmitting for their information a copy of a letter from Alexander McKee, Esq., Deputy Agent of Indian Affairs, on the subject and to which I beg leave to refer them.

From the best information I was able to collect, when in the District of Hesse, of the causes of the difficulties and impediments that had obstructed the settlement on the east side of the Streight of Detroit, I found the following to be the principle, viz.: The not continuing to give permission to loyalists and emigrants from the States to take up lands, in the manner that had been authorized and practiced by Major Mathews and Major Close on the land, ceded to the Indian officers, etc., by the Indians previous to the establishment of the Land Boards, surveys of which had been made under the direction of one or both of those gentlemen, but were not considered as valid by the Land Board, as they did not conceive the land legally vested in the Crown, nor the Surveyor properly qualified to act, consequently no certificates for land would be granted, till the late purchase and a proper survey thereof could be made, which naturally put a stop to all further progress of the settlement until these ends were obtained—a lapse of time of near sixteen months took place before any part of the survey was made, and in the interim some of the emigrants from the States, in order to support their families, purchased lands, and are settled, as I have been informed, on both sides of the Treaty line, and some who came in last year were obliged to return to the States, after having expended the little property they brought with them. There can be no other method adopted, in my opinion, to effect a regular and full survey of the Crown lands than by employing a sufficient number of surveyors, and laying out the townships from front to rear, which I conceive to be agreeable to the King's Instructions on that head. No lines marked in the manner suggested by the Committee will answer; they have been tried, and only serve to create confusion and disputes among the settlers, and will be the cause of much future litigation. Perhaps, as the demands for land are not so great as heretofore, the running of two or three concessions, or more according to the population of the township might answer for the present. The present mode of laying out the townships on navigable rivers will totally overset the design of settling the country, as the whole of the front except two lots is laid out in a town plot and reserves, by which means the whole face of the country would remain in wilderness, unless we are to suppose that cities and towns will rise up much faster than hitherto, now that the emigration from the States has been checked, and that Government will occupy the reserves, or grant them to persons who will make immediate improvements on them. Such town plots might answer very well where good harbours or favourable situations may offer, and may be proper for, or likely to become a County Town, or might answer in an

inland country, but will never do on a navigable river. Thus I have endeavoured to give the Committee every information that the time would allow of, and I shall be happy if it proves any way serviceable to them or the publick. I have the honour to be, etc.

LETTER FROM ALEXANDER MCKEE

Detroit, 25th May, 1790.

Sir: In my letter dated the 21st instant I informed you of the purchase being completed from the natives to the Crown, the particulars of which I shall now more fully make known to you.

The reasons for acceding to the reservation of land in favour of the Indians in the late purchase of the country (the limits of which I stated in my last) are, that the Hurons have been in possession of a tract of land situated between the Huron Church and the River au Jarvais, about one mile in front, on which they erected a village, and another tract situated at the Rivière au Canard, between the Indian officers' land and the French settlement, about five miles in front, where they have another village erected, in which places they enjoyed many years' peaceable and uninterrupted possession by and with the unanimous consent of their confederates, the Lake Indians, which at this time it was discovered they had no inclination to cede,—and to persist in it, had a tendency of interrupting the unanimous consent of the nations concerned, to acquiesce in the request of the Crown.

Therefore to continue the good faith of those nations as well to each other, as to convince them of the justice of Government, it was thought expedient to secure to them the enjoyment of the tracts reserved, which they now occupy.

That it is expressly ordered by His Excellency the Governor that all possible regard shall be had to the ease and comfort of the Indians, which would have been materially affected, had not the reserve been made.

That the reserve has served as a bond of confidence among the nations concerned and has greatly confirmed and strengthened their union, besides securing an unreserved attachment to Government, for a proof so unequivocal of its tenderness towards them. That the orders of Government could not be carried into effect had the reserve not been made, the Hurons having absolutely refused to accede to relinquish their possession, and the other Indians having publicly declared in Council, that they expected as a condition for their acquiescence in ceding their territory, that this tract should be reserved for their use, in which had they not been gratified the cession could not have been made in the unanimous and complete manner it has been done in testimony of which they delivered strings of wampum. That the intention and express purpose of the Deed of Cession to the Crown in 1784, of this tract was in trust to me, to secure the Indians from encroachments, being convinced they would be disturbed in their possessions, which eventually must have produced troubles between them and the white inhabitants. And to evince to the truth of this, I have no objections, to relinquish any interest or claim to the said tract for the public good.

It may be proper to observe that the reserve in question has been attended with the most happy effects, having compleatly reconciled any discontent that might have subsisted amongst them.

From which it may, I presume with reason be concluded, that to grant the reserves in question was not only necessary but a humane and politic measure.

That the body of the Hurons have been well known for their attachment to Government by their bravery and services during the late war, having lost many of their principal men when acting in conjunction with the King's troops, to

which I was a witness. Although it may be possible there may be some discontented amongst them, yet in general no nation have been more attached.

That the deputation of the said nations intended to go to Canada some time ago—the Hurons particularly, respecting their claims, to have the matter settled before you and His Excellency, the Governor, and the idea of which they have yet not altogether laid aside.

I have the honour to be, etc. A. MCKEE.

Montreal, 25th Jan'y, 1791.

A true copy. (Signed) JOSEPH CHEW, S.T.A.

Resolved that the Chairman request Sir John Johnson to inform the Committee how far he conceives it may be practicable to satisfy the Huron Indians by lands in any other part of the District of Hesse, in lieu of the reserve made in the late purchase of lands from the Indians near Detroit, and on what terms.

The Committee resumed the consideration of the last report from the Land Office Board of Hesse, between the 20th August and 23rd October, 1790. The remarks made upon reading the Minutes are:

That the plan of a town plot annexed to the report and submitted to Lord Dorchester seems to be well laid out, and as far as the Committee can judge without reference to the plan of the two townships (for the accommodation of which it is intended, upon the north side of Lake Erie) it will be conveniently situated for both.

The Board of Hesse remark in their letter at the end of their report, that many inconveniences will arise, to obstruct the settlement of the country, provided the present plan of reservations in townships lying upon rivers or lakes be rigourously adhered to, seeing that only two lots in front or water lots can be granted, by the Rules and Regulations of the 25th August, 1789, for the conduct of the Land Office Department.

Upon the Land Board's observation relative to discharged Rangers and others who obtained certificates for locations at the mouth of Detroit River and were promised provisions and tools, this Committee reported the 3d January last, and were of the same opinion with the Board of Hesse relative to the expediency of securing to them their lots as well as to grant them provisions, that they might be in no worse condition than people under the same circumstances who settled in the lower parts of the new districts.

At a special meeting of the Land Committee, on Tuesday, 22d February, 1791. Present: Messrs. Finlay, Collins and Grant.

The Chairman laid before the Committee a copy of a letter he wrote to Sir John Johnson the 11th current, in obedience to the Committee's order of the 4th February, as follows:

Quebec, 11th February, 1791.

Sir: The letter with which you honoured me in answer to mine of the 19th January was laid before the Land Committee at their first meeting after I received it, and this day having occasion to reconsider that letter, the Committee have ordered that I as Chairman pray you to inform them touching the practicability of satisfying the Hurons by lands in any other parts of the District and upon what terms, in lieu of the tract reserved for them, which reserve may be very incommodious to the County Town of Hesse on that side of the Streight and to the Indians themselves. His Lordship's view being to serve both them and the common interest. I have the honour to be, etc.

The Honourable Sir John Johnson, Bart.,

Superintendent-General of Indian Affairs.

Friday, 3rd June, 1791. Present: Messrs. Finlay, Collins and Grant.

Read a letter from Sir John Johnson of the 17th February in answer to the Chairman's of the 11th, praying Sir John to state whether the Hurons could not be prevailed on to relinquish the seven-mile tract which they conceived to be reserved for them opposite to Detroit, out of the great tract lately purchased on the north side of Lake Erie.

Sir John states that he consulted Mr. McKee, the Deputy Superintendent of Indian Affairs, touching the relinquishment of a part of the reserve of the seven-mile tract, as much as would answer the purpose of a scite for a County Town to a certain Creek, but he thinks it would be difficult to prevail on them to abandon it wholly. When he hears from Mr. McKee he will write more fully to this board on the subject. This letter was kept back until answers on the same subject should be received from the Land Board of Hesse, and Mr. McNiff.

Read letter from the Land Office Board of Hesse, dated 6th May last, which came to the Chairman's hand a few days since accompanied by two papers marked C. No. 1, C. No. 2; the first is Copy of a Deed of gift, grant infeofment of a tract of land on the south side of Detroit River, seven miles square, 15th May, 1786. The other paper contains a sketch of the settlements (under authority) on Lake Erie, on the tract lately purchased from the Indians, likewise the settlements made without authority under Indian grants to individuals upon the River La Tranche.

This letter is in answer to one wrote by the Chairman of this Committee desiring information relative to matters stated in Lord Dorchester's Order of Reference of 20th October last, copy of which was sent to the Board of Hesse. They observe, that before the 21st May, 1790, the Crown had no lands in Hesse, except a square of seven miles at the River Canard upon the Streight, ceded to His Majesty by the Ottawa and Chippawa Indians, 15th May, 1786, by Deed; together with another tract of seven miles ceded the 7th June, 1784, by the Chippawas and Hurons at the mouth of the Streight, which is claimed as being granted to and for the use of certain officers and soldiers who had served in the late war with the Indians, the grantors of that tract. There are likewise a few grants which were made by the French King. All the rest of the settlements are claimed as deriving from grants made to individuals by the Indians countenanced by the Commanding Officers and Lieutenant-Governors of Detroit.

Alexander McKee claimed the tract at the River Canard for his own use and that of his friends, and he petitioned for a grant of it under the Crown, which petition was referred by His Excellency Lord Dorchester to the Board of Hesse the 21st January, 1790; it was withdrawn by Mr. McKee, 14th May, 1790, and has not been returned since.

That the Board of Hesse has not been able, notwithstanding its utmost efforts, to procure a return of survey of a single township from the Surveyor-General's Office, in which to locate the petitioners for lands in that district.

That the Reservations at the River Canard (the Seven mile Tract) will prevent Lord Dorchester's Orders of 2d Sept., 1790, for laying out a County Town on the East side of the Streight.

That the Board has supposed the seven-mile tract to be vested in the Crown by the Deed of Gift of May, 1786, and they remark that Mr. McKee pressed the Indians to recommend to the Governor to grant that very tract to him (Mr. McKee) and they state that they cannot perceive any good that is to result in reserving a waste in the heart of the settlement, which would interrupt the

communication; and the board refers this Committee to Mr. McKee for the cause that renders this tract now so essential for the comfort of the Indians.

The reserve for the Hurons is necessary for their comfort. They are practical Christians and have a church with about four acres of land attached to it, in superficies, which does not interfere with the extensive plain between the church and the River of Jervais, which might afford a scite for a County Town. The board conceive it to be very practicable to satisfy the Hurons in any other part of the district, but they observe that the satisfaction is not to be made to the Hurons alone, but to those Tribes who ceded the tract in May last, viz., the Ottawas and Chippawas.

The Board submit, whether if the Chippawas and Ottawas who were parties to both the deeds of Cession, that of 15th May, 1790, were to be again assembled and the two Deeds laid before them, they would not relinquish the reserve at the River Canard, on receiving a consideration, which they perhaps looked for, on making the Cession of 1786, which they did not consider as paid for by the presents of May, 1790.

On the whole, the Land Board of Hesse consider the reserve of the seven-mile tract to be highly desirable to be at the disposal of the Crown, for reasons stated in their report to the Governor, 28th May, 1790.

It is necessary for the welfare of the settlement that that tract should be in the hands of Government, as it contains limestone, which is not to be found elsewhere, but on Stoney Island, in the possession of Mr. William McComb.

The Board refer to a sketch of the tract for settlement to shew (as is their opinion) that the whole should be accurately laid down on paper before a second township back from the water should anywhere be laid off, to prevent the lines of one from interfering with the other, as in Cornwall and Lunenburg.

The Board further state that, "There are scattered settlements on Lake Erie and La Rivière La Tranche, as may appear by the plan from AE to AO, and from NR to NP (on the files), the first under the sanction of the Commandants of Detroit, and confirmed by the Land Board of Hesse; the latter without any authority but Indian grants.

The board submit as their opinion that, however great the first expence may be, it is indispensably necessary for the future quiet of the settlers and for the assurance of the Royal Grant that a survey of the whole tract purchased should be before the board, before they issue directions for any part of it to be laid out in townships, and that no settler be located by the board without having before it a plan of the township in which he is to be placed. Any proceedings without such precaution must subject the board to error, the settler to confusion, litigation, and the Government to reproach. They think that a sufficient survey (supposing the 10th Article of the Rules and Regulations of the 17th February, 1789, relinquished) of a township might be done by a single surveyor and his party in 10 days, so as to enable the board to grant locations. Nothing more would (in their opinion) be necessary than to run the four sides, making the road space between each row of concessions, measuring off, staking out and numbering in the usual manner the front lots. Upon such a plan the board could make the necessary reserves. The settlers on the front line would easily find their lots from the Surveyor's numbers—and those in the second, third concessions, etc., might measure them off from the side lines. But the board submit upon the whole, whether it would not be better to leave nothing to be done by the proprietor towards ascertaining his lot, since the whole could be done by a Deputy Surveyor and his assistants at an expence of 10 or 12 days' labour.

LETTER FROM MR. MCNIFF

Read a letter from Mr. McNiff, Deputy Surveyor for Hesse, dated at Detroit, 3d May, 1791, in answer to the Chairman of this board's letter to him of 19th January last, covering a copy of Lord Dorchester's Orders of 20th October last, to the Land Committee, stating:

That when Government concluded to settle the important frontier of Detroit, all encouragement was held out to settlers, but the provisions at first issued were afterwards withheld; a hundred young, able men left the country in one year for that reason; a great hindrance to the settlement of the district, and a great loss to Government. That when settlers, invited by Government, came from the States, they were told there was no waste land belonging to the Crown in the district, that it was all private property under Indian grants; on finding this they returned to the States; some of them had not money to carry them back and were forced to agree with the claimants under Indian grants to pay £100 for a hundred acres of waste land. The Quakers from Red Stone who came into this country to settle (from Pensilvania) were forced to return. And further, that the reserves in the townships standing on lakes and rivers according to the present plan, greatly impedes the settlement of the country, seeing that but two farm lots can be granted in front, two in the second and twelve in the third concession. Nobody will consent to settle in the back concessions and leave such a tract of wood in their front, through which they would have to make roads. About twenty families applied for lands and by their agent chose a tract. He has laid out four townships, two on each side of the River La Tranche according to the plan prescribed, but none of those who have applied for land will go into the back concessions. In these townships he found twenty-eight families settled in the front who have made considerable improvements, but they would be removed were the order for surveying the townships to be carried into execution there. He refers to the Inspector-General of Indian Affairs, how far the reserves at the River Canard may or may not be injurious to the settlement of that country. The reserve at the Huron Church is of no consequence, being only a barren sandy plain; that at the River Canard is very valuable, and should a town be established near the Island of Bois Blanc, the reserve would prove very injurious to the inhabitants from the depredations of Indians on their cattle and hogs. He thinks that land (the seven-mile reserve) might be bought from the Indians for a very trifling consideration, and they may be well provided for at River Chanail Ecarté near the entrance of Lake St. Claire, on the northeast shore. He represents that all the land on the shore of the Streight, from the north boundary of the reserve at the River Canard, as far up as Peach Island in Lake St. Claire, is thickly inhabited. That the inhabitants have petitioned to have their lands extended back to the fifth concession, because they want wood. He thinks this would prevent the settlement of the country, and they would not clear and improve the second, third and fourth concessions, and no farmer would sit down on the fifth. He represents that there's no wood nearer the front concessions than the rear of the second concession which are near eighty arpents or a league from the front or the water side. He does not find from the River Canard upwards any land left for public roads, each inhabitant passing through his own land and the opening of roads requires immediate attention, as a means of inducing English farmers to settle back, rather than go a great distance up the River La Tranche. In his letter of the 5th May, he suggests that it would be well to lay out a number of townships on the River La Tranche, ten would take up a space of ninety miles along the river, under the present plan, but

according to that plan no more than twenty farmers could be settled in front of that great space at such distance from neighbours as to render it impracticable to assist each other in any manner. The Indians pass in great numbers up and down that river, and behave in a disorderly manner often, killing the cattle and hogs of the settlers; but were they close settled this would not happen.

The Chairman observed to the Committee that considering the length of time the proceedings of the Land Board of Hesse had been before the Committee for report, it would be necessary to proceed thereon, and proposed to enter upon that business immediately; considering that until the claim of the Huron Indians for a reserve of a tract of seven miles square opposite Detroit is decided, the settlement of the country upon the east side of the Streight of Detroit must be greatly retarded.

Mr. Grant proposed that the Minute of this board of the 3d June be read, relative to a letter from Sir John Johnson, touching the reserve at Detroit, and being read, it is therein stated that Sir John Johnson, expecting information from Alexander McKee, the Deputy Superintendent-General, relative to that claim, will, when received, communicate the same to this board. Resolved, that the Chairman request Sir John to inform them whether he has received the expected information, and if he has, to communicate the same, to enable them to report on the matters referred to them without further delay.

Friday, 16th September, 1791. Present: Mr. Finlay, Mr. Collins and Mr. Grant.

The Chairman laid before the Board the copy of a letter written to Sir John Johnson, in consequence of the Resolve of the 2d September:

Quebec, 2d September, 1791.

Sir John Johnson, Bart.

Sir: I have been directed by the Land Committee to request of you to inform them whether you have heard from Mr. McKee, the Deputy Superintendent of Indian Affairs, touching the tract of seven miles square, which the Huron Indians conceive to be reserved for them opposite to Detroit, as the Committee are anxious to report upon Lord Dorchester's Reference of the proceedings of the Land Office Board of Hesse and other matters, which they will not be able to do satisfactorily without information on the subject from Mr. McKee.

I have the honour to be, etc.

Mr. Grant's attendance at the Court of Common Pleas being required, and seeing no answer has as yet been received from Sir John Johnson to Mr. Finlay's letter of 2d September, it was ordered that the Chairman lay before the Committee at their next meeting a draft of a report upon the matters contained in the papers transmitted from the Land Office Board of Hesse and referred to this Committee by His Excellency Lord Dorchester.

Friday, 23d September, 1791. Present: Mr. Finlay, in the Chair; Mr. Grant and Mr. Collins.

The Chairman informed the board that he had received a letter from Mr. Chew, Secretary to the Indian Department, which gives him hopes of hearing from Sir John Johnson relative to the practicability of satisfying the Huron Indians for the tract reserved for them at the River Canard, by a grant of land elsewhere, as soon as he receives information on that head from Mr. McKee, the Deputy Superintendent of Indian Affairs; therefore he had not prepared a

draft of a report as ordered by the Committee on the 23d to be laid before the board at their next meeting. The Committee having approved thereof resolved that the Chairman defer the report until Friday, the 28th October next.

Friday, 28th October, 1791. At the weekly meeting of the Land Committee. Present: Mr. Finlay, in the Chair; Mr. Collins and Mr. Grant.

Read the draft of a report upon the papers from the Land Board of Hesse (referred to the Land Committee in October, 1790) which, having been amended, it was ordered that the Chairman prepare a fair copy thereof to be laid before the Committee with all convenient speed.

Quebec, 29th November, 1791. At a special meeting of the Land Committee. Present: Mr. Finlay, in the Chair; Mr. Collins, Mr. Grant, Mr. De Lanaudiere.

The Chairman observed to the Committee that as he had been confined by sickness ever since their last meeting, it had not been in his power sooner to comply with the order of the board. He then produced a fair copy of the report which had been submitted on the 28th of October, and being read and approved by the Committee, it was ordered that the Chairman sign the report and annex thereto a copy of the journals of the Committee, and present the same to His Excellency, the Commander-in-Chief without delay.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) upon His Excellency Lord Dorchester's Orders-in-Council of the 15th August, 1791, relative to lands said to be set apart for Commons in some townships in the new districts.

May it please Your Excellency: In consequence of a report from this Committee to His Excellency The Right Honourable Lord Dorchester, of the 22d July, upon the petition of Ephraim Jones of the District of Luneburg, for a tract of land stated by him to be part of a Common in the Township of Augusta. His Lordship was pleased to order in Council on the 22d September last that the Land Committee should enquire whether the spot alluded to was a Common and upon what authority it was so called and also, whether there were any other tracts in the new settlements of the same description. And in order to obtain the information required, the Committee applied to Major Holland, the Surveyor-General, who states:

"That in consequence of Instructions from the then Commander-in-Chief, the several townships were laid out in square tracts of nine statute miles, which when divided into thirty-seven lots each containing 19 chains or 1,254 in front, there remained 17 chains, of which 3 chains were taken for six roads, allowing 33 feet for each road; of course 14 chains, the residue, was divided, and 7 chains left at each end of a township, which with the 7 chains left in like manner to the adjoining township occasioned the 15 chains vacant between them; those vacancies from not having been drawn for, or distributed with the rest of the lands were called Commons. General Sir Frederick Haldimand granted some of those vacancies or Commons to people entitled to lands and absent at the general drawing of the lots.

SAML. HOLLAND, Surv.-Genl.

Quebec, 23d September, 1791.

The Committee having considered the Surveyor-General's statement do not conceive that the vacancies in question can with propriety be considered as Commons, for on enquiry they do not find that any of the grantees of portions

of the waste lands of the Crown in the Township of Augusta have any right transferred entitling them to the use of the vacancy or tract in question as Common appendant, for the purpose of pasturing their cattle thereon, or for any other purpose. The Committee therefore are humbly of opinion that the vacant tract between Augusta and Matilda of 14 chains in width, ought to be considered as part of the townships, 7 chains lying in Augusta and 7 chains in Matilda, running the whole depth of each township and open for grants like every other unconceded part of either of the said townships. The Committee therefore submit whether it might not be expedient that directions be issued to the Land Board of Lunenburg and the other districts above Montreal to grant certificates to applicants for lots, in every vacancy that may there be respectively found similarly situated. All which is nevertheless humbly submitted to Your Excellency's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 9th Dec., 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) upon the proceedings of the Land Office Board of Hesse, between the 29th October, 1790, and 13th May, 1791.

May it please Your Excellency: In obedience to His Excellency Lord Dorchester's Order of Reference, the Land Committee proceeded to examine the papers transmitted from Hesse, to the Office of His Lordship's Secretary, and having duly considered the Minutes between the 29th October, 1790, and the 22d April, 1791, marked B, they concur with the Board in the propriety of having granted certificates of location to these persons who had applied for lots, agreeable to the schedules accompanying the Minutes of the Board. And having fully considered the Minute of the Board of the 6th of May last, relative to a petition from several inhabitants on the east side of the Streight of Detroit, for grants of lands lying immediately behind the lots they actually possess, the Committee concur in opinion with the board that the request in that petition contained in unreasonable, and that to comply therewith would be hurtful to the settlement.

And they likewise join in opinion with the Land Board that the apprehensions of the inhabitants on the west side of the Streight relative to an intended alteration of the boundary lines of their farms (as stated in their petition) are without foundation. All which is nevertheless submitted to Your Excellency's wisdom.

HUGH FINLAY, in the Chair.

Quebec, 9th December, 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant).

May it please Your Excellency: Upon the proceedings of the Land Board of Lunenburg, between the 5th April and 3d August, 1790, referred the 17th of December, 1790, by Order of His Excellency Lord Dorchester, the Land Committee have the honour to report that they concur with the Land Board of Lunenburg in the propriety of their having granted location certificates to the petitioners, whose names are entered upon the schedule accompanying the Minutes and indorsed "District of Lunenburg, schedule of the persons admitted as settlers in said district," and they beg leave to observe that the petitioning half-pay officers mentioned in the schedule have all been reported in August last to His Excellency as entitled to the quantities set down opposite to their names. The petition of

Ensign William Snider has not been transmitted with the other petitions, and as the Committee understand from the statement of the Land Board, that he was not considered as a Subaltern when he received his portion of the waste lands of the Crown, they conceive that in conformity to the Rule observed hitherto, those persons attached to corps reduced in the Province have no claim for more than the quantity they were entitled to, at the reduction of the Corps to which they belonged. All which is humbly submitted to the consideration of Your Excellency.

HUGH FINLAY, in the Chair.

Quebec, 9th December, 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant).

May it please Your Excellency: The Land Committee, in obedience to His Excellency Lord Dorchester's Order of Reference of the 19th January last of the Minutes of the Land Board of Lunenburg, humbly report that after having duly considered the proceedings of the board upon the petitions which accompany their Minutes, between the 6th of October and 9th December, 1790, approve of the Locations' Certificates granted in that period as stated in the schedule accompanying the Minutes, headed "List of Persons examined, sworn and admitted," and having examined the petitions of the reduced officers of Provincial corps, transmitted with the Minutes and recommended by the Land Board, the Committee find that they have been reported to His Excellency Lord Dorchester in August last, as entitled to the additional quantities set down opposite to their names in the schedule dated at Matilda, 8th December, 1790, accompanying the petitions and upon the petitions recommended by the Land Board and submitted to His Excellency's pleasure, this Committee join the board in recommending Mr. Ephraim Jones as a reduced Ensign in Major Jessup's Corps for 1,300 acres.

Likewise Margaret Jones, Widow of William Deak, a non-commissioned officer of the 31st Regiment, deceased, for 200 acres. Also Alexander Campbell in behalf of the heirs of Lieut. Peter McLaren of Colonel Eben Jessup's Corps.

The petition of Allan Paterson, likewise submitted, mentions no specific quantity of land, nor any particular place of location; and as the petition of Henry Baker, in behalf of his deceased father, a soldier in the King's Royal Yorkers, is in the same predicament. The Committee are of opinion that these two petitions may be returned, and submit whether the board may not be authorized to decide upon them.

They next considered the petitions of Thomas and Terence Smyth, praying for a Captain's proportion of lands upon the River Rideau, on account of their deceased father's services, and they produced copy of a letter from Sir John Johnson to their father, Doctor George Smyth, to strengthen their pretensions; the letter is as follows:

Montreal, 20th December, 1785.

Sir: I was favoured with your letter of the 13th instant relative to your lands. I believe you may make a choice of your lot wherever you can point out a vacancy, and I should imagine you are entitled to a Captain's allowance.

The Board observe on this petition that they do not consider Staff Officers of the 84th Regt. entitled to any lands, by virtue of the King's Instructions, yet

they think the case of the petitioners merits consideration. The Land Committee in a report to His Excellency Lord Dorchester, of the 19th June, 1789, stated that from the circumstance of the petitioner's father having been placed at the Post of St. Johns as a preventive officer, and understanding that he had been useful to Government, they offered as their opinion that a grant of 1,000 acres might be made to the petitioners in any of the three townships then laid out on the north side of the Ottawa River. The Committee therefore humbly recommend that 500 acres may be granted to each on the River Rideau, the place where they wish to obtain a grant.

They further recommend that 500 acres may be granted to John Cameron should the board be satisfied that he actually served as a Subaltern in General Burgoyne's Army in 1777.

Abner Sulye, from the United States, petitions to be admitted as an inhabitant, and the board recommend that his prayer may be granted. The Land Committee observe that by the Act of the thirtieth of His present Majesty, the petitioner on taking the Oaths to Government may obtain a lot of land if he is desirous to become a subject of the King.

The petition of Capt. John Munro of the late Royal Regiment of New York states that he had proposed to his son, Hugh, for the general benefit of the family, to build upon a lot of land assigned to said Hugh, and that in consequence of that proposal he had erected buildings thereon, at great expence; and that he had greatly improved the lot; and he prays that a reservation of fifty acres may be made out of the lot assigned to his son comprehending the buildings erected thereon and part of the improvements for the use of Mary, his wife, in case of his death. The Observation of the Land Board upon this petition is: The board having considered the nature and circumstances of the petitioner's request are of opinion that both himself and his family labour at present under a very peculiar hardship, through which they may suffer very essentially in future; at the same time they know of no remedy to guard him against the danger, unless His Excellency Lord Dorchester would condescend to interpose in his behalf; of the propriety of which interposition the board do not pretend to judge but humbly submit this case to His Lordship's great wisdom. The Committee considering that the faith of Government is pledged to Hugh Munro, to secure him in the possession of the lots that have been assigned to him, cannot recommend the prayer of Capt. John Munro's petition, but, should his son, Hugh, refuse to fulfil any agreement he may have made with his father, relative to the buildings erected upon the lot in question, he has his remedy at law. All which is nevertheless humbly submitted to Your Excellency's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 9th December, 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) upon the Minutes of the Land Board of Lunenburg between the 4th January and 1st March, 1791.

May it please Your Excellency: The Land Committee having examined the Minutes of the Land Board of Lunenburg from the 4th January to the 1st March, 1791, together with the papers therewith referred by His Excellency Lord Dorchester the 11th of last July, humbly report that they concur with the Land Board in the reasons stated in their Minutes for having granted Location

Certificates to 25 persons whose names are entered upon the schedule accompanying the Minute and headed "A list of persons examined, sworn and admitted as settlers in the said district."

They next considered three petitions referred to the Governor-in-Council.

1st. The petition of Mr. Daniel Jones for a Subaltern's proportion of the waste land of the Crown, stating his services, which are in part certified by Captain Sherwood to the satisfaction of the board. It does not appear that he has received more than 100 acres of land, on which he has made considerable improvements. The Committee therefore humbly recommend that he may obtain a grant of 400 acres in addition thereto.

2nd. The petition of Ensign William Johnson Holt of the Pennsylvania Loyalists, and 3d. Lieutenant Moses Holt's petition of the same corps, praying for his quota of lands as a reduced Provincial officer, put on a footing with the officers of the 84th Regiment by Lord Dorchester's Order-in-Council of the 22d October, 1788. The Land Board observe on these two petitions that as Lieut. and Ensign Holt did not receive lands under the King's Instructions of 1783, their prayer cannot be granted in conformity to the 1st Article of the third Addition to the Rules and Regulations of the 17th February, 1789, but the Committee humbly recommend that the Land Board of Lunenburg may be authorised to grant a location certificate to each for 500 acres, in one of the townships laid out upon the River Rideau.

The Committee concur with the Land Board in recommending the following petitions, viz.: Henry Jackson, for 100 acres; Ziba Phillips, for 200 acres; Roda Van Camp, for 200 acres; Nerina Phillips, for 200 acres; Rachel Mosier, for 200 acres; Jacob Merkel, for leave to build a grist and saw-mill at the foot of the Long Sault; Henry French, for 400 acres; William Gibson, for 500 acres; Frederick Weaver, for 500 acres.

Ensign John Conolly and Captain Francis Hogle, reduced officers of American Corps have had their claims reported to His Excellency Lord Dorchester in August last.

The petition of Captain Justus Sherwood and seven other half-pay Provincial officers, dated the 22d March last, praying for lands in the Township of Oxford, on the River Rideau, was likewise fully reported to His Lordship on the 5th of August and recommended by this Committee.

The Committee beg leave to observe upon the remarks suggested by the Land Board of Lunenburg in a paper marked No. 1, dated the 5th April, submitted to His Excellency Lord Dorchester, and by His Lordship referred and now before this Committee 11th July, 1791.

1st. They think that the boundary line of townships already laid out should be run due north, not the magnetical north.

In a letter dated 14th June they consider that it will be better that the side lines of the different townships be regulated by the fixed boundaries, without regard to any deviation from the established course, which is north 24° west, as it will create less confusion and give more general satisfaction.

This Committee concur with the Land Board in the remark above stated: The plan lately adopted for the boundaries of inland townships being 10 miles square, and the front townships being but nine in breadth, there will consequently be an overlap of a mile in the first, two in the second and so on progressively. The Committee do not perceive at present any inconvenience that can thence arise.

A Rule is proposed to entitle Sailing Masters of the Navy—issuing Com-missaries, pensioners and Assistant Pay Masters in the Engineer and Quarter

Master-General's Departments during the late war, to a subaltern's proportion of land under the Instructions of 1783. The Committee observe on this remark that seeing it has heretofore been considered by the surveyors that persons of the above description are entitled to 500 acres and that Location Certificates have been issued to them for that quantity, the Land Committee humbly recommend that applicants of that description may have a like quantity granted to them.

Proposes a Rule to fix a time for regranting such lots as have been drawn by soldiers who are either absent (leaving their lots vacant) or are occupied by persons having no title thereunto. The Committee consider that the lots assigned to disbanded soldiers have been granted in reward of past services; they cannot therefore recommend that they should be resumed by the Crown.

May not the boards be vested with authority to change such lots as may on due proof appear to be unfit for cultivation? The Committee are humbly of opinion that it would be right for the board to grant other lots, in lieu of bad lots not fit for culture.

Mr. McNiff should be ordered to deliver to the Deputy Surveyor of the district the plans of New Johnstown (New Cornwall) and new Oswegatchie on which are inserted the names of the proprietors, for want of which the Land Board have not been able to make the investigations ordered by Government. Mr. McNiff has been directed long since to furnish the map required as the Deputy-Surveyor General informs the Committee.

The townships now distinguished by the numbers 9 and 10 should have names. Several of the townships on the Grande Rivière are without names. The Committee conceive the Land Board consider the River St. Lawrence to be the Grand River; every township on the Ottawa or Grand River has a name. No. 9 and 10, lying on the River St. Lawrence between Elizabeth Town and Lansdown have no names, but they are known by their numbers.

It is submitted whether a town at the Forks of the River Rideau, to be in the center of four surrounding townships would not answer a good purpose and reasons (to the following effect) are offered to induce a deviation from the established rule in this, as well as in other cases which may occur.

The prosperity and wealth of towns in all inland countries must depend upon the cultivators of the land; now if the land which should be under culture is locked up in town plots, parks, etc., it may operate against or entirely defeat the speedy settlement of the country.

The situation of the proposed town at the forks of the Rideau in a fine soil, with the great advantage of water carriage and its proximity to a settled country, will induce mechanics, traders and others to prefer that site and build there.

Here an ample space will be opened for the accommodation of half-pay or reduced Provincial officers and other people.

The Committee on the 5th August reported fully upon the proposed township at the Forks of the Rideau, recommending a deviation from the general plan in this instance.

May not disbanded soldiers, who served in Provincial corps during the last war, and who have not as yet applied for lands, obtain Location Certificates not to exceed 400 acres for a non-commissioned officer and 300 acres to a private, on proof of their merit being exhibited to the satisfaction of the Land Boards.

Persons of the foregoing description, non-commissioned officers, are entitled to 200 acres each, with 50 acres for every person of which their respective families may consist. A private, to 100 acres with 50 acres for his wife and 50 for each of his children.

By the V Art. of the Rules and Regulations of the 17th Febr'y, 1789, the Surveyor is to report the grounds of all claims for land exceeding 200 acres. The specific quantities of the lands applied for are not necessary to be ascertained in the petitions as directed by the XIV Art. of the Rules above mentioned, as the Surveyor's returns will serve as a check to prevent mistakes.

The first part of this remark is founded on a mistake, for by the Article alluded to 'tis the board (not the Surveyor) who are to report. We presume that under a supposition that plans of all the townships divided into concessions and lots were to be before the boards the Rule was issued directing applicants to make election of certain lots to be ascertained in their petitions. The Committee do not perceive the expediency of making any alteration at present in the Rules alluded to.

It has been found that a deviation as made by Mr. Stegman, a Deputy Surveyor, in running lines not parallel to those run by Mr. McNiff (another Deputy Surveyor) in the Townships of Cornwall and Charlottenburg would create the greatest confusion, it is thought advisable, with a few exceptions (according to local circumstances) to confirm the old lines, by which plan those who are found to have more land than their just quota are to relinquish the over-plus; and those who may have less are to have their quantities made good in other places, as near their old grant as may be. The Committee concur with the Land Board on this remark, and join them in recommending that the old lines may not be altered in the Townships of Cornwall and Charlottenburg. All which is humbly submitted to Your Excellency's great wisdom.

HUGH FINLAY, in the Chair.

Quebec, 9th Dec'r, 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) upon certain papers from the Land Office Board of Mecklenburg, referred by Order of His Excellency The Right Honourable Lord Dorchester the 21st December, 1790.

May it please Your Excellency: The Land Committee having duly considered the Minutes of the Land Board of Mecklenburg, between the 5th May and 21st August, 1790, marked C, together with the petitions therewith transmitted, humbly report that they concur in the propriety of the board's having issued Location Certificates to the applicants for grants of the waste lands of the Crown as stated in the Minutes, and upon the petitions rejected, viz., of John Vandecor, No. 313; Thomas Jackson, 330; Lamson Stricker, 353; ——— Hagerman, 366; Peter Davey, 363; John Buckley, 376; Humphry Waters, 379.

The Committee likewise concur, and for the reasons stated on the Minutes; and the Committee observe on the petitions indorsed "Under Consideration," that Lieutenant Guisbald Sharp's and Lieutenant Hector McLean's have been included in a list of reduced Provincial Officers, reported to His Excellency Lord Dorchester the 5th August last; that they concur in the decision of the board relative to the claims of Everhart Weigar, Mercy Hawley, and Catherine McMullen. And upon John Josh. Harkemir's petition, the Committee observe that as they know nothing of the situation of the sixty acres he applies for, they humbly recommend that the board may be instructed to grant his petition, if they perceive that the spot he applies for is not a scite proper to be reserved for public uses, or that the grant will not be prejudicial to any private person.

Upon the petitions endorsed "Preferred." The Committee observe, first on William Cotter's claims as a Second Mate in the Provincial Naval Service, that he is not by any existing instruction entitled to lands as a Naval Officer, but they recommend that he may have 500 acres for the reasons assigned in the Minutes.

The Committee recommend Andrew Brundish for 200 acres and Peter Daly (if he has made improvements on his lots) for 150 acres in addition.

William Johnson was before the Land Committee sometime last winter, and (considering a certificate from Samuel Shepherd, Esq., and the representative of John Collins, Esq.) it was then conceived that of right he ought to have a preference to the disputed half of Lot No. 11, and it appears now to this Committee that if Mr. Chisholm obtained no certificate from the board he can have no legal claim, as the Deputy Surveyor-General did not grant him one.

The Committee find by the Minutes of the Land Board (in the 7th page) that certain Instructions from the Surveyor-General's Office had been read at the board on the 2d June; that Instructions had been given by the board to the surveyor of the district; that a letter from Mr. Coffin, dated 7th June, appointing Sir John Johnson to sit as President of the several Land Boards, had been read at the board the 17th July, but that none of them have been entered at large upon the Minutes as the Rules and Regulations for the Conduct of the Land Office Department direct.

The Committee beg leave further to observe that it appears that Lieut. David Cowan has received 500 acres as a reduced officer, and upon enquiry at the Surveyor-General's Office, to what corps he belonged, they find that he is a Lieutenant of the Navy, and although he has received 500 acres as a settler, he could not have been entitled to land as a Naval Officer under the Instructions of 1783.

The Committee proceeded next to consider a letter from the Land Board to Henry Motz, Esq., dated the 16th of October, 1790, stating among other things that the person acting as their Clerk has had much trouble, and submitting to Lord Dorchester whether some allowance should not be made to him to provide stationary, and as a reward for his services. The Committee observe upon this representation that it would have been well had the Land Board stated what they consider to be a reasonable recompence for stationary, etc., to be laid before the Commander-in-Chief. All which is humbly submitted to Your Excellency's consideration.

HUGH FINLAY, in the Chair.

Quebec, 9th December, 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) on the Minutes of the Land Board of Mecklenburg from the 1st December, 1790, to the 10th March, 1791.

May it please Your Excellency: In obedience to His Excellency Lord Dorchester's commands signified to the Land Committee by Mr. Secretary Motz in his letter to the Chairman of the 5th April last, as follows:

Quebec, 5th April, 1791.

Sir: I transmit a letter from the Land Board of Mecklenburg dated the 16th of March, 1791, accompanied by the following papers: Proceedings of the Board from 1st December, 1790, to 10th March, 1791. Surveyor's Return of Locations from 15th October, 1790, to 17th March, 1791. Surveyor's Report to the Board under their Instructions of 7th February, 1791. Sketch to Explain

the Instructions to the Surveyor of 7th February, 1791. Sketch of Vacant Lands between Kingston and Pittsburg. A Parcel of Petitions to Accompany the Proceedings of the Board. All which His Excellency Lord Dorchester is pleased to refer to the consideration of the Land Committee for their report of such observations as may occur thereon.

And two surveyors having lately been sent by the Surveyor-General's Office from Quebec to the District of Lunenburg on the supposition of this being a proper season for field work, whereas the Board of Mecklenburg in their letter state a contrary opinion, on the ground of which they have permitted the surveyor of their district to be absent until the first of May or the 1st of June next, the Committee are to investigate and report the grounds on which these seemingly contradictory conclusions have been formed, with their opinion of the real state of the case, and what course may be expedient to prevent unnecessary expence to the Crown. I am, Sir, Yours, &c.

The Committee proceeded to consider with due attention the Minutes of the Land Board, stating their proceedings on the petitions presented for the lots of the waste lands of the Crown, and thereupon humbly report:

That the Location Certificates issued by the board in that period (as stated on the Minutes) have been granted in conformity to the Rules and Regulations made for the Conduct of the Land Granting Department. The Reasons assigned by the Board for refusing the petitions of Norris Briscoe, No. 453; John Lake, 459; Margaret Longwell, 461; Nicholas Lake, 462; Jo. McMahon, 473; Catharine Yarman, 493; Jean Anderson, 499; Amos Martin, 515; appear to the Committee to be well founded.

Upon those marked "referred to the consideration of His Excellency the Commander-in-Chief, the Committee beg leave to observe, first, upon the Reverend John Stuart's claim. It does not appear that he, as Chaplain to the late Royal Yorkers, is entitled under Lord Dorchester's Order-in-Council of 22d October, 1788, to be put upon a footing with the Subalterns of the late 84th Regiment respecting allotments of land. Charles McCulloch's claim for the number of acres short of 100 in the lot he now possesses, ought to be made good.

Bosteon Hogle's claim for 1,400 acres, in right of his father, killed at Bennington whilst serving as a Captain in General Burgoyne's Army, seems to meet the approbation of the Land Board; but as nothing appears to prove he served as a Captain the Committee humbly submit whether his case may not be referred back to the board for their final decision upon due proof of the fact alleged.

Samuel Sherwood, Esq., in the opinion of John Collins, Esq., the Deputy Surveyor-General, may obtain a certificate for 500 acres, and upon what he advances in Mr. Sherwood's favour, the Committee humbly recommend him for that quantity.

Richard Cartwright, Jun., prays for a spot of land equal to a town lot in Kingston adjoining a house his property not within the limits of the town but unlocated. The Committee recommend the grant may be made provided the Land Board upon enquiry shall be satisfied that it will not interfere with any public reservation, or be prejudicial to any individual.

Abraham Defoe prays for lands as heir to his brother. The Committee concur with the Land Board in the proposal of postponing the grant of his prayer for 100 acres in right of his brother, Jacob, deceased, until he shall appear to be duly authorized to receive it in that capacity.

Charles Bennet's petition for a mill stead, in the opinion of the Committee, ought not to be granted, seeing by the statement of the Land Board there has been many prior applications made for the same spot by persons having better pretensions to favour than the petitioner.

Report has already been made to His Excellency Lord Dorchester upon the claims of the following reduced officers of Provincial corps who have applied to the Land Board, viz.: Lieutenant Peter Valleau, Captain Joseph Allan, Lieut. Edward Cascallen, Capt. William Johnson, Capt. Abraham Maybe, Ensign Jon'n Miller, Lieut. William Rattan, Lieut. John Richards. And the Committee has considered them to have been put upon a footing with officers of equal rank of the late 84th Regiment by His Lordship's Order-in-Council of 22d October, 1788, and recommended them accordingly.

A letter from the Land Board of Mecklenburg of the 16th of March last to Mr. Secretary Motz, likewise referred, was next considered, and the Committee observe upon the paragraph relative to the expediency of describing the scites of the lands applied for that were the Land Boards furnished with plans of all the townships in their respective districts, divided into concessions or ranges of lots, and these lots numbered, and the names of the persons who have obtained locations noted upon the tracts drawn, the vacant lots would be seen at one view and all petitioners be able to chuse their situations.

The Committee concur with the board in opinion that the lands assigned to disbanded soldiers under the Instructions of 1783, were granted as a reward for services and cannot be resumed; and further, that it would be advisable to adopt some rule relative to the lots that have been assigned to persons not having the same pretensions and remain unimproved.

The Land Board state that Mr. Cartwright, Senior, is willing to relinquish his lot in the vicinity of Point Frederic, if it shall appear necessary for the use of Government, but Mr. Arch'd McDonell is not inclined to give up his tract, though Neil McLean, Esq., adjoining Mr. McDonell, has no objection to relinquish his; yet in the opinion of the board, Government will have occasion for neither as timber and firewood for the use of the Garrison may at all times be purchased for less money than the cutting it down would cost to supply fuel and wood for building.

The board observe, and on examining the map of the district the Committee find that there is not vacant land enough between Camden and Pitsburg for two new townships; in lieu of four proposed to be laid out in that space by the Surveyor-General's Office in the plan of survey to be made, dated the 17th of May last; and further, the board do not consider it to be necessary to lay out any inland townships there at present; but they recommend that the vacancy between Kingston and Pitsburg, containing about ten thousand acres, as appears by the Sketch No. 5, accompanying their report, may be surveyed as far back as the northern boundary of Kingston, and annexed to that township, and this Committee concur with the board in the expediency of that proposal.

The Committee agree with the Land Board in opinion that instead of a Deed under the Great Seal to every individual for the lands he may have located, some other method may be followed under a law of the Province to enable the possessor to hold an inheritable or assignable estate in the said lands.

The board state that they are yet without any regular plan of the Township of Marysburg. The Committee observe that Mr. Aikin, the Deputy Surveyor, has been ordered repeatedly to furnish the Land Board with that plan. Upon the last part of the reference directing the Committee to report the grounds of a seeming contradiction with respect to the proper season for beginning surveys

in the upper districts, the Surveyor-General's Office, supposing the month of April to be a proper season for field work, and the Land Board of Mecklenburg appearing to be of a contrary opinion, and in consequence thereof, have permitted the surveyor of their district to be absent from his duty until the first of May or the first of June. The Committee beg leave to state to Your Excellency, from the information of Mr. Collins, the Deputy Surveyor-General, that he considers surveyors in the District of Mecklenburg may commence and make good progress in field work from the beginning of March by working in the early part of the season on the high land until the waters subside from the low grounds; and he states in support of this assertion that it appears by the Contingent Accounts returned to the Surveyor-General's Office by the Deputy Surveyor, Mr. Aiken, that he has been employed on surveys in that district as early as the month of March. All which is most humbly submitted to Your Excellency's consideration.

HUGH FINLAY, in the Chair.

Quebec, 9th Dec., 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) on the proceedings of the Land Board of Mecklenburg from the 23d March to the 29th June, 1791.

May it please Your Excellency: A letter from the Land Board of Mecklenburg enclosing their proceedings from the 23rd March to the 29th June last, accompanied by the petitions for grants of the waste lands of the Crown, together with the surveyors' schedule of locations made for that period, all referred by Lord Dorchester to this Committee have been examined with due attention, and they humbly report thereon:

That the certificates issued by the board upon the petitions presented for grants of the waste lands of the Crown have been given in conformity to the Rules and Regulations for the Conduct of the Land Granting Department; that the petitions indorsed "Refused" appear to have been rejected on good grounds, and that those that have been "referred to the consideration of Your Excellency-in-Council" stand as follows:

John Everet as Captain of Associated Loyalists prays for 1,950 acres.

William R. Bowen, Lieutenant, in the Indian Department, prays for 1,400 acres.

Richard Ferguson prays for lands due to his deceased brother, Lieut. Israel Ferguson, of the King's Rangers, 1,600 acres, for the benefit of his legal representatives.

They all claim under His Excellency Lord Dorchester's Order-in-Council of the 28th October, 1788, and 21st July, 1790, and upon the statements of these petitions entered upon the Minutes of the board, this Committee conceive that certificates may be granted to the claimants.

Geo. Galloway (he cannot shew a Commission) claims 1,300 acres of land, having been considered, as he states, as a Lieutenant of Associated Loyalists, and as such he received 500 acres in 1784 from the Deputy Surveyor-General under the Instruction of 1783. The Committee submit whether this petitioner's case may not be sent back to the Land Board, with directions to grant his request provided he can satisfy them that he did act as Lieutenant of Associated Loyalists, as by him set forth.

Thomas Sparham, Barrack Master and Hospital Mate, in the opinion of the Committee is not entitled, in consequence of Lord Dorchester's Orders of 28th October, 1788, and 21st July, 1790, to receive lands in proportion with the Subalterns of the 84th Regiment.

Christopher Georgen's petition for a town lot (No. 93) should not, in the opinion of the Committee, be granted, as he is already in possession of one lot on which a house is built where he actually resides, and seeing the board consider his application is made with an intention to monopolize, which, by the rules and regulations is to be guarded against.

The Committee beg leave to observe that His Excellency Lord Dorchester's Instructions to the Surveyor-General and Deputy Surveyor-General, read at the board on the 1st June last, should (regularly) have been entered upon the Minutes, in conformity to the Rules and Regulations for the Conduct of the Land Office Department.

The Committee next considered a letter from the Land Board (Mecklenburg) of the 10th August last to Mr. Secretary Motz, recommending Richard Cartwright, Sen., and William Atkinson, Esq., as proper additions to strengthen the Land Board. And stating that the board had not been able to comply with that part of the 6th Art. of the 3d Addition to the Regulations for the Conduct of the Land Office Department of 20th January, 1790, authorizing the boards to pledge the faith of Government for grants of such additional lands to reduced officers as shall be approved by the Governor-in-Council, not having received the Governor's directions respecting the form of the certificates of occupation to be issued to this class of applicants. And the board add: That their inability to comply with the regulation above stated is matter of complaint among the gentlemen concerned." In obedience to His Excellency Lord Dorchester's commands to report the form of a certificate for grants of such additional lands as shall be approved by the Governor and Council agreeable to the 6th Art. of the 3d Addition to the Regulations of the Land Office Department of the 20th January, 1790, the Committee humbly submit the annexed form to Your Excellency's consideration. All which is nevertheless submitted to Your Excellency's wisdom.

HUGH FINLAY, in the Chair.

Quebec, 9th Dec'r, 1791.

FORM OF CERTIFICATE

No.

CERTIFICATE of the Board appointed by His Excellency the Governor for the District of, in the Province of Quebec, under the Rules and Regulations for the Conduct of the Land Office Department, dated Council Chamber, Quebec, 17th February, 1789.

His Excellency The Right Honourable Lord Dorchester, Governor-General, having been pleased by His Orders-in-Council of the 22d of October, 1788, and the 21st July, 1790, to put all reduced officers without distinction of corps, who have improved the lands already granted to them since the Peace of 1783, upon a footing with the officers of the 84th Regiment, with respect to the number of acres by them to be received:

This is to certify that the Bearer.....
having received but.....has a just claim for a further grant
of.....to make up the quantity of.....acres to which he is
entitled as a reduced....., and we hereby direct you to assign the same
to him in the Township of.....in the District.....

To

Acting Surveyor for
the District of

}

CERTIFICATE OF THE ACTING SURVEYOR

I assign to the Bearer.....
 the Lots Nos....., in the Township of.....
 in the District of....., containing..... in
 conformity to a Certificate and Order No..... from the Land Board
 Office of..... to me directed and bearing date the
day of....., 179....., which lands
 the said..... is hereby authorized to occupy, in order
 that he may receive a Grant thereof to him and his Heirs or Assigns in due form,
 on such Terms and Conditions as it shall please His Majesty to ordain.

Given at.....this.....day of
, One Thousand Seven Hundred and.....

.....
Acting Surveyor for the District of.....

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant): In obedience to Your Excellency's Order-of-Reference of the 6th instant, the Land Committee have considered the Minute of the Land Board of Luneburg of the 6th of April last, together with the petitions and schedule therein alluded to, and they humbly report thereupon: That they find by the Minute that the certificates issued by the board on that day correspond with the schedule, and have been granted in conformity to the Rules and Regulations for the conduct of the Land Office Department; that the two petitions indorsed referred, viz., Joshua Loussee for himself and his two sons, setting forth that they drew No. 9-10 and 11 in the fourth concession of Matilda, in a swamp, unfit for cultivation, and praying permission to give up these lots, and for an order to obtain good land in lieu thereof, that they may improve the same.

The Committee join the Land Board in recommending the prayer of this petition, and submit whether the board may not be authorised to decide ultimately in all similar cases, taking care to take back from the petitioners the Deputy Surveyor's Certificate of Location for the bad lands they may have relinquished.

The other petition is from Mary Weager, praying, as the daughter of a loyalist, for 200 acres of land under Lord Dorchester's Order-in-Council of the 9th November, 1789. The Committee join the Land Board in recommending that the petitioner may obtain a Location Certificate for 200 acres. All which is humbly submitted to Your Excellency's consideration.

HUGH FINLAY, in the Chair.

Quebec, 16th December, 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant):

May it please Your Excellency: The Land Committee, in obedience to Your Order of Reference, dated the 6th of this month, have duly considered the Minutes of the Land Office Board of Luneburg, between the 3d May and the 10th of June last, together with the petitions therein stated, upon which the Committee humbly report to Your Excellency: That the certificates issued by the Land Board to the applicants for lands agree with the schedule accompanying them, and it appears by the Minutes that they have been granted in conformity

to the Rules and Regulations made for the Conduct of the Land Office Department. The Committee join the Land Board in recommending the following petitioners for grants of the number of acres set down opposite to their names respectively for the reasons stated in the Minutes of the board, viz.:

Nancy Ault for 200 acres, Mary Freeman for 200 acres, Sylvia Merrick for 200 acres, Rebecca Sythe (or Syllce) for 200 acres, Sarah Baxter for 200 acres, Eve Wright for 200 acres, Ch. Booth and brothers for 500 acres, Mary Hanes for 200 acres, Elizabeth Hicks for 200 acres.

The following petitions are indorsed with these words: "Recommended by the Board," viz.: Abigail Camstock claims, as the stepdaughter, and Levi Campstock, as the stepson of a loyalist; but they cannot be benefited in that quality by His Excellency Lord Dorchester's Order-in-Council of 9th November, 1789; yet as the Land Board recommend them, they may receive 200 acres each as settlers, if so Your Excellency shall please to direct.

Daniel Jones, as guardian to the heirs of Lieut. Solomon Johns, deceased, applies for 1,300 acres; but as no mention is made of the corps to which Lt. Johns was attached, the Committee recommend that his petition may be returned to the Board, and upon their being satisfied that he comes within the meaning of the Order of the 22d of October, 1788, Daniel Jones's prayer may be granted.

Ensign Roger Stevens sets forth that he, conceiving himself to be entitled to an addition of 1,600 acres, that he located the same on the River Rideau, and has made considerable improvements thereon, but he finds since the said river has been surveyed, the tract he has sat down upon will interfere with the reserves destined for the use of the Crown, yet prays, in consideration of the expence he has been at in clearing the land, making roads and in building, that he may be suffered to keep possession; and the Land Board recommend that he may be permitted to hold his 1,600 acres there, assigning as a reason to induce Your Excellency to indulge him in his request, that he is the first who settled on the River Rideau, and that he had the sanction of the Land Board to make a choice of his site.

If by the sanction of the Land Board is meant that Mr. Stevens obtained a certificate directed to the Acting Surveyor to measure off the tract in question, the faith of Government is pledged that Mr. Stevens shall receive a grant thereof to him and his heirs or assigns; yet by the V Art. of the Rules and Regulations for the conduct of the Land Office Department of the 17 February, 1789, the Land Boards may not grant certificates for more than 200 acres to any individual (except for bounty and family lands), but they are directed to report all applications that may from time to time be made for greater quantities and to state the grounds of the pretensions of the claimants, the consideration of which is reserved to the Governor and Council.

The Committee considering that Government has already consented to deviate from the General Rule laid down for laying out four townships on the River Rideau, by which the reserves for the use of the Crown are thrown into the back corners of the said four townships, they cannot join the Land Board of Lunenburg in recommending the prayer of Mr. Stevens's petition in whole, but the Committee submit to Your Excellency (all the circumstances of the petitioner's case considered) whether he may not be permitted to hold two hundred acres round his house, to include all his improvements and to have the remainder of his claim granted as near his two hundred acres as may be, but not within the limits of any reserve for the Crown.

Peter Lukin, resident in Montreal, by his petition prays for 500 acres in the Township of Marlborough on the River Rideau, in consideration of his

loyalty, and to compensate for a house, his property, which was burnt in His Majesty's service in the year 1775.

The Committee upon this petition pray leave to observe that all the King's subjects are or ought to be loyal, so that the petitioner's claim on that score alone is not admissible. They cannot recommend that any loss he may have sustained by the chance of war shall be recompensed by a grant of a portion of the waste lands of the Crown.

Charles Blake by his petition prays for 1,900 acres of land to compleat the quantity he claims under the Order of His Excellency Lord Dorchester of the 22d October, 1788, considering himself entitled to a Captain's proportion and on a footing with the officers of the 84th Regiment in consequence of his having served as Garrison Surgeon of Montreal during the late war. The Committee do not find that the petitioner is comprehended in His Lordship's Order of 1788 or of that of the 21st July, 1790, they cannot therefore join the Land Board in recommending the prayer of the petitioner.

William Jones, Provost Marshall of the Town of Montreal prays for 400 acres of land promised him since last war; and further, he applies for a Subaltern's proportion of land under Lord Dorchester's Order of the 22d October, 1788. The Committee do not consider that under the Order alluded to by the petitioner, he is entitled to any land as Provost Marshall; but they humbly submit to Your Excellency whether the Land Board may not be authorised to grant him a certificate for 400 acres on the River Rideau on their being satisfied that he has claim thereto by any former Order of Survey, by promise, or otherwise, of which, however, Mr. Collins, the Deputy Surveyor-General, has not the least recollection.

Samuel Wright, stiling himself a reduced Subaltern of Major Jessup's Corps of Loyal Rangers, states that he is entitled to 650 acres, the remainder of 2,000, his proportion as a Lieutenant, having already received 1,350 acres; and he prays that the quantity due to him may be laid off on the River Rideau and comprehended in the tract set apart for the Loyal Rangers. The Land Office Board observe upon this claim that the petitioner never held a Commission, nor ever received pay as a Subaltern; but from his merits the board consider him to be deserving of an addition to the quantity he has already received and recommend that a certificate may be allowed him for 500 acres, in which the Committee join, but not in consequence of the petitioner's conception that he is entitled to that quantity under Lord Dorchester's Order of October, 1788.

Three petitions accompanied the Minutes of the board, but none of them is therein mentioned, nor in the schedule transmitted therewith. The joint petition of Owen Cameron and John Ault, loyalists, dated 5th April, 1791, prays the Land Board to confirm the Location Certificates they received on the 17th December, 1787, from The Honourable John Collins for lots Nos. 3 and 4 in the 8th Concession in the Township of Cornwall, and stating that they have improved the same, and built houses and barns thereon; but Mr. Chewet's (Acting Surveyor of the district) information has alarmed them; he says the name of Scott is marked upon the lots Nos. 3 and 4, which, as they apprehend, has been inserted with a fraudulent intention. Nothing of this representation as is above stated is mentioned in the Minutes, but there is an indorsation on the petition in these words: "Disputed Title, examined and enquired into by the board, and the petition of the applicants granted 10 June, 1791."

The second petition, not mentioned, is Jeney Hunter's, applying as the daughter of a loyalist; 'tis indorsed "Rejected 10th June, 1791, on account of her father not having served as a loyalist"; and the third petition is from Charles McArthur and twenty-one associates, dated Ninth Township, April 25th, 1791.

stating that they were settled there, and had improved their lands; that the township has never been divided in a proper manner, and to prevent disputes they pray it may be surveyed and laid out into lots as has been customary. The petition is indorsed "Referred to His Lordship-in-Council."

The Committee humbly conceive that the request of those petitioners is reasonable, and indeed the work appears necessary to prevent confusion in the township distinguished by the name of the ninth township by the petitioners, and called upon the map of Luneburg in the Surveyor-General's Office No. 9 and 10. All which is most humbly submitted to Your Excellency's wisdom.

HUGH FINLAY, in the Chair.

Quebec, 16 Dec'r, 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant).

May it please Your Excellency: The Land Committee have the honour to report upon the Minutes of the Land Board of Luneburg sitting at Cornwall, between the 25th August, 1789, and the 7th December, 1790, that it appears that all the petitions presented to the Land Board during that period have been for such quantities only of land as are required to be granted by the Land Board without reference to the Governor and Council by the IV of the Rules and Regulations for the Conduct of the Land Office Department of the 17th February, 1789, and the schedule transmitted with the petitions agrees with the entries made in the Minutes, none of the certificates being for more than 500 acres including bounty and family lands, excepting the following:

Lieut. Angus McDonell, 71 Regiment, 1,500 acres; Capt. John McDonell, R.R. of N. York, 2,300 acres; Lieut. Edward Jessup, Jun., 1,800 acres; Major Edward Jessup, Sen., 3,800 acres; who, upon petitions by them presented to the board and filed the 10th Sept'r., 1790, obtained Location Certificates for the quantities prayed for as officers of reduced Provincial corps, under the Order of His Excellency Lord Dorchester of the 22d October, 1788.

It would appear that the board, in granting those certificates, did not advert to the Rules and Regulations for the Conduct of the Land Office Department, for by the V Article, the Land Boards are directed to transmit to the Governor and Council all applications for grants exceeding the number of acres which by the IV and VII Articles they are authorized to assign.

These applications should all have been reported, with the grounds of the petitioner's claims, the consideration of which is reserved to the Governor and Council. An Order of the Governor-in-Council has been passed already for laying out 3,800 acres for Major Jessup and 1,800 acres for Lieut. Edward Jessup. It is humbly submitted whether it may not be advisable by an Order from Your Excellency to confirm the grant thus made to Capt. John McDonell. The Committee are of opinion that Lieut. Angus McDonell does not come within the meaning of His Majesty's Instruction to General Haldimand of 7th August, 1783.

The Committee next proceeded to consider the paper indorsed "Observations of the Land Board of Luneburg on the Reservations in the new Townships, 4th October, 1791 (signed), John Munro," mentioned in a letter of the same date, accompanying the Minutes of the Land Board of Luneburg sitting at Matilda, wherein is stated the apprehensions of the Land Board that the tracts proposed to be reserved for the use of the Crown in all townships lately laid out, or that may be hereafter laid out, will operate as a great drawback on the settle-

ment of the waste lands of the Crown, and that the reduced Provincial officers who have applied for grants in the new townships on the River Rideau cannot prevail upon themselves to take their lands without their full proportion of front upon the river. The board submit, whether a reservation in the middle of every township, of one entire concession or range of lots, might not answer the views of Government, equally well with the proposed reservations in the four corners. They suggest that in time that reservation would become very valuable, and that even the timber would be shortly of more value than the land.

The Committee remark upon the foregoing observation of the Land Board, that the center range of lots in the different townships would exceed in quantity the eight farm lots adjoining each other now reserved in the corners of every inland township but be three lots short of the quantity to be reserved in the corners of every township situated on a navigable river.

From the concurring opinions of the different Land Boards in the Upper Districts, touching the retention of the corner lots in the lands of the Crown, the Committee are inclined to consider that the adoption of the plan suggested by the Land Board might tend to encourage the speedy settlement of the waste lands of the Crown, but Government may have reasons for preferring the corners of townships (unknown to this Committee) as the scite of the proposed reserves.

A report was made to His Excellency Lord Dorchester upon Lieut. Hugh Munro's claims in February, 1791, founded on the information given by the Deputy Surveyor-General; and on revising that matter the Committee do not find cause to alter their former opinion; and further, His Excellency Lord Dorchester, by his order of 31st March, 1791, reserved the petitioner's claim, to be ranked as a Captain for further consideration upon such proofs as he may think fit to adduce, seeing the Land Board consider the petitioner to be well meriting the attention of Government on account of his past services. The Committee humbly submit whether the petitioner, Lieut. Munro, may not obtain from the board at Lunenburg a certificate for 2,100 acres in addition to the quantity he has already received, but not to be considered as a grant by virtue of His Excellency Lord Dorchester's Orders-in-Council of the 22d October, 1788, and 21st July, 1790. All which is humbly submitted to Your Excellency's consideration.

HUGH FINLAY, in the Chair.

Quebec, 16 Dec., 1791.

Read a report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) upon the proceedings of the Land Board of Hesse from the 16th to the 30th of September, 1791:

May it please Your Excellency: The Land Committee in obedience to Your Excellency's Order of Reference of the 6th instant have fully considered the Minute of the Land Board for the District of Hesse of the 13th September, and they have the honour to report thereupon: That the case of Frederick Amoed, as stated on the Minute, seems particularly hard. It appears that seven years ago he brought with him into this Province 25 families, and that neither himself nor any of his followers have been able to procure a foot of the waste lands of the Crown to settle upon and improve for the benefit of their families; they have been obliged to hire farms, and Mr. Amoed himself to purchase one, which is not sufficient to occupy his family. That immediately upon the survey of the lands at the River La Tranche he marked for himself and his eldest son two unclaimed lots, for which he immediately petitioned the board, not presuming to make improvements without leave. He has the mortification to find one Gibson,

formerly a Ranger, and a new-comer named Watson set down upon and improving those very lots, which he apprehends may occasion difficulty to him in discussing his claim. The people he brought with him reproach him daily, and threaten to return to the States, as they see no prospect of obtaining lands at Detroit. That seeing so many obstacles have been from year to year thrown in the way to obstruct the settlement of the country, he concludes with praying the board would immediately take his hard case into their consideration.

The Committee observe on the foregoing statement of Mr. Amoed's case, that he has great reason to complain, they consider that neither Gibson nor Watson have pretensions to the lots marked by Mr. Amoed for himself and son at the River La Tranche, and they humbly recommend that the Land Board of Hesse may be instructed to secure those two lots for Mr. Amoed and his son, and to assure the people who followed him into this country, that they shall obtain portions of land for themselves and families so soon as the necessary surveys can be completed.

The Committee next proceeded to consider Mr. T. Smith's letter to the Land Board, dated the 8th September, 1791, entered upon the Minute, applying for payment from Government for past services as Clerk to the Land Board, but as the Board at Hesse make no observation upon the letter, this Committee cannot give an opinion upon the admissibility of his claim.

No further observation on the matter stated in the Minutes appearing to the Committee to be necessary on their part, they proceeded to consider a report in form of a letter from the Land Board of Hesse to His Excellency Lord Dorchester, dated the 23d of last September; upon which the Committee observe that the board had imagined from Lord Dorchester's Order-in-Council of the 23d July last that it was then conceived by His Lordship and the Council that all claims for lands made by loyalists and reduced troops in the District of Hesse were then nearly satisfied. But the Board states that from the delay of the purchase from the Indians, and the restraint the Board lay under from the Instructions, confining their operations to lands actually surveyed and unclaimed by Indians, they have not been able to locate a single petitioner, excepting upon one irregular tract on Lake Erie where divers families were placed before the Land Board was constituted; and continuing to assign reasons why they have granted no Location Certificates, although they have before them above three hundred applications for lots, they set forth that they could not proceed from want of the general and particular survey required by the General Instructions, and declared to be indispensably necessary by a report of Council of 28th June, 1790, but which they have not been able to obtain neither from the Surveyor-General's Office at Quebec nor from the Acting Surveyor on the spot; and they refer His Lordship to the several reports and communications of the Acting Surveyor to the Land Board on its respective instructions for partial surveys accompanying their report, that His Lordship at one view may see that no exertion has been wanting on the part of the board to effect the object in view.

The Land Board next refer His Lordship to the whole of their proceedings from time to time as transmitted to the Office of the Governor's Secretary for a detail of the various difficulties to be combated and conquered by the board before the regulations for its conduct can be complied with. The Committee beg leave to refer Your Excellency to their report of the 29th November last, upon the difficulties and impediments here alluded to by the board, which appear to have obstructed the settlement of the waste lands in the District of Hesse; and where the Committee humbly propose the means of removing them.

The Land Board perceive a necessity for the assistance of two or more active and willing surveyors, for at least one season; and the Committee conceive that one surveyor is by no means sufficient for the pressing work to be done in the District of Hesse, that the discharged troops and loyalists may be no longer disappointed in their expectation of lands which they have so long anxiously looked for in vain. The Committee having gone through the report proceeded to consider the paper indorsed "Reports and Communications of the Acting Surveyor," alluded to by the board, and after having perused the whole with attention, they state that it appears:

That Mr. McNiff on the 22d May was enjoined to report on an actual survey of the front of the tract then lately ceded to the Crown, and to mark the boundaries of each township from Long Point on Lake Erie to the Streight, and to conform to the additional Rules of 25th August, 1790, in laying out the same. Mr. McNiff, the Acting Surveyor (25 June), conceives the survey lately performed by him to have been made under the authority of the Commanding Officer, Major Murray. He has had no official communications from the Land Board; nevertheless he will deliver to their Clerk a copy of the report he made to the Surveyor-General on the 24th June, and he informs that he is now ready to execute the Board's orders.

His report to Major Murray states: The nature of the shore along the lake is improper for the scites of townships from their very high situation inaccessible to the lake; and although in some places the land is good, in others the soil is clay and yellow sand, extending from one to two miles and a half back from the shore, and some is marshy, in short, very unfit for townships that by the proposed plans are to be skirted in front by water.

On 2d July, the Board ordered a survey of the front of the tract lately ceded to the Crown along the shore of Lake Erie from Long Pointe to the Isle Bois Blanc, to be guided by the 10th Article of the Rules and Regulations of 17th February, 1789, and 3d Article of additional Instructions of 25th August, and they directed the surveyor to report the deviations from the Rules, should any be necessary. On the 3d July, the Acting Surveyor reports that a scite of a township of ten miles good land fronting the lake (where the Rules can be followed) commencing at the east side of Point Aux Pins, another from the east end of the present new settlements up to Detroit River 20 miles, but of which 15 miles in front is already occupied which will prevent a town from being laid out there. On 30 July, 1790, upon observations made by Mr. McNiff, the Board make an alteration in the order of the 2d July and ordered 4 townships to be laid out. On the 31st July, the Acting Surveyor, Mr. McNiff, informs the board that the last is not so explicit as the first order, which the board intended to mend; and informs the board that the uncertainty he is in, in consequence of their orders, prevents him from proceeding. On the 11th August an amended and full order is given to the Acting Surveyor by the board. On the 3d September, it appears that the board received a rough sketch of a survey of the front of two townships on the Streight of Lake Erie, conformable to the instructions of 11th August.

On the 24th September, the board called on Mr. McNiff for information as to the time they might expect a regular plan and report of the survey ordered on the 11th August. Mr. McNiff requested the further indulgence of the board for his report. On the 8th October, the Acting Surveyor informs the board that the two first townships on the River La Tranche cannot be laid out agreeable to the General Plan without dispossessing the inhabitants of their improvements, and on that day the board received the general survey.

On the 29th May, 1791, the Board required a duplicate of the general survey from the Acting Surveyor as they had sent the original to the Land Committee at Quebec, and at the same time desired to have his operations at the Riviere a la Tranche. On the 3d of June, the board called on the Acting Surveyor to enquire why the survey of three townships reported on the River la Tranche does not correspond with the general survey in conformity to the 9th and 10th Articles of the Rules and Regulations of the 17th February, 1789, and the additions of 25 August.

He states that his bad health in October, 1790, permitted him to take but a cursory survey of the River la Tranche, and he took the bearings upwards no further than $17\frac{1}{2}$ miles from its entrance; he could then go no farther. That on his second plan he did not think it necessary (as the board were in possession of the first) to state the remarks he had already made. He stated to the board that on the south side of the river, from its entrance to the place where he commenced the first Lot No. 1 no settlement can be made; from thence to Lot 19 the land is thickly inhabited with two or three families on some lots, upon which some of them have been settled a number of years prior to the existence of the present Rules and Regulations for the conduct of the Land Granting Department; and they have good buildings thereon surrounded by extensive improvements; but independent of this circumstance, the nature of the country backwards being all swamp will not admit of the proposed plan of settlement. On the second township he observes the reserves have been laid down and the different concessions marked as may appear by the plan before the board. Proceeding to survey the third township he found that at the end of the 12th lot the river takes a turn much more southerly than he expected; he therefore desisted from further operation and returned to the Garrison. He adds, that finding so many people already settled in front of these townships he made two plans, one conformable to the general rules and regulations and the other dividing the lots into such farm lots as is directed by the Standing Order of Survey to be given to farmers placed by the board upon the lands, as may now appear by the plan, reference thereunto being had.

On the 29th July, the board enquired of the Acting Surveyor if from the survey he has made he can ascertain to the board whether two townships can be laid out agreeable to the general regulations, between the reserve at the River Canard, and the River La Tranche, without interfering with the rear lines of the two connected townships on Lake Erie, or those of the townships directed to be laid down on the River La Tranche and what the interference will be, if any.

Mr. McNiff in answer states that there is not sufficient distance between Lake Erie and Lake St. Claire to give two townships of 12 miles depth each, and that from the windings in the course of the Streight no right angle or line can be extended conformably to the present Instructions. From the north boundary of the Reserve, the depth may be had for about three miles up the Streight, but there the water takes a circular course to Peach Island, from thence a township may be laid out fronted by Lake St. Claire about 11 miles by an unequal depth of between 8 and 9 miles, before it will strike the rear of the two connected townships on Lake Erie. But the upper township from Peach Island may be laid out nearly conformable to the General Rules and Regulations, being at present uninhabited. The lower from Peach Island to the Reserve is irregularly settled in the front, the township may be distributed by forming its front upon the side line of the upper township.

On the 6th August, the board directed the Acting Surveyor to make a survey from Lake Erie running north along the east boundary of the second township

until he should strike the south shore of Lake St. Claire, then, from the north boundary of the Reserve at the River Canard, beginning at the water's edge, run due east, to intersect the east boundary of the said second township, thence back on his line $11\frac{1}{4}$ statute miles (or 900 chains), thence due north until he should strike the south shore of Lake St. Claire.

On the 28th August, the Acting Surveyor reported that he commenced his operations at the north boundary of the Reserve at River Canard; from whence he run his line due east for some distance above the forks of the River Canard, when he was stopped by extensive marshes not passable on foot nor in a canoe at that season; he struck his course through the woods to the place where his boat lay waiting for him; he travelled two days and part of a third through marshes, got to the boat and proceeded to the east boundary of the second township, and from thence run due north, and through a marsh a mile wide, then continued 355 chains from the front, but could proceed no farther, being stopped by impassable marshes; and he thinks a line cannot be run in any one direction between Lake Erie and Lake St. Claire. He is of opinion that in the three townships there will not be found six farm lots in the second concessions if laid out agreeable to the present mode of surveys; but many good settlements might be made, provided settlers may be permitted to sit down where the land projects out in angles into the extensive marshes. Unable to proceed after many fruitless attempts, he concluded it would be expedient (seeing he was furnished with a surveying party) to lay out the front eastward to the bottom of Pointe Pelée; as also the front of the second concession of his last survey, where the land would admit, and he represented to the board that he was then ready to lay down upon paper his late surveys and deliver them for the use of the board, as soon as the board shall enable him so to do, by furnishing him with paper and lead pencils for that purpose.

It appears to the Committee from the foregoing reports and communications made by the Acting Surveyor in consequence of orders to him issued by the Land Office Board for the District of Hesse, that owing to the nature of the country interspersed with extensive swamps and marshes, there are but few situations yet explored, where townships could be laid out and divided into lots in conformity to the General Plan; and from the clear and comprehensive view of every matter that concerns the Land Granting Department in the District of Hesse, exhibited in a letter of 6th May last from the Land Office Board, together with two letters from the Acting Surveyor of that district and a letter from Sir John Johnson, Bart., Superintendent-General of Indian Affairs, in answer to letters written to them the 19th January last by order of the Land Committee, all hereunto annexed, the Committee humbly submit whether deviations from the X Article of the Rules and Regulations for the Conduct of the Land Office Department of 17th February and 25th August, 1790, may not be permitted wherever the Land Board may perceive that a steady adherence to the General Model would tend to retard the settlement of the waste lands appertaining to the Crown on the important frontier of Detroit. All which is nevertheless humbly submitted to Your Excellency's wisdom.

HUGH FINLAY, in the Chair.

Quebec, 16th Dec'r, 1791.

COPIES OF THE LETTERS REFERRED TO IN THE FOREGOING REPORT

Detroit, 6th May, 1791.

Sir: The Land Board for the District of Hesse have before them your letter of 19th January last. This board, as such, has regularly communicated its Minutes of proceedings to the office of the Governor's Secretary, in which it will appear that until the 21st of May last, when the purchase of a Tract of Country, from Long Point to the Channail Ecarté was obtained from the Indians, the Crown had no waste lands within the district, known to the Land Board, except a square of seven miles, at the River Canard, on the Streight, which had been ceded by the Ottawa and Chippewa Indians to the King's use by deed of 15th May, 1786. The Cession of 7th June, 1784, by the Chippewa and Hurons, of a similar tract at the mouth of the Strait, being claimed to the use of certain officers and soldiers, who had served with the Indians. All other settlements in this district, except a few on the Strait by grant from the French King, being on private purchases from the Indians to the occupiers or their lessors. That his Excellency the Governor's Instructions to this board of 2d Sept., '89, prevented the location of the tract at the River Canard, which was claimed by Alexander McKee, Esquire, for the use of himself and his particular friends, by a petition referred to this board by my Lord Dorchester's Order of 21st January, 1791, but withdrawn by Mr. McKee, 14th May, '90, and not since returned.

From the day that the purchase was announced to the board, no exertions on its part has been able to procure from the Surveyor-General's Office the returns of survey of a single township in which they could locate the petitioners under any of the several instructions issued from time to time respecting the settlement of the waste lands of the Crown in this district. As to the Reservations at the River Canard and Huron Plain, this board did suggest that they would utterly obstruct the execution of my Lord Dorchester's Instructions of 2d Sept., '90, for laying out a County Town, on the east side of the Streight, and the proof of that suggestion was exhibited in the same report, stating that there was no other unimproved land, on that side the Streight, the whole being settled either under the grants of the French King or private purchases from the Indians, countenanced by the several Commanding Officers, and Lieutenant-Governors of Detroit who had received the rents and fines on such speculations as well as upon lands possessed under the sanction of the French Crown.

As to the object and use of those Reservations, this board can speak but negatively, having supposed the land at the River Canard to be already vested in the Crown by the deed of gift of 15th May, 1786, and having been but a very short period before the said 21 May pressed by Mr. McKee, the agent for those Indians, to recommend to the Governor the prayer of his petition for that very tract, this board can only say that they see no good object or intended use in reserving a waste in the heart of the settlement, which must unavoidably interrupt its communication, and must refer the Committee of the Honourable Council to Mr. McKee for the sudden cause which rendered it so essential to the comforts of the Indians.

For part of the Reserve at the Huron Plain, there is sufficient obvious cause; the Hurons being practical Christians, and using the remains of their abandoned village as retreats when they come up to attend Divine Service at the Church built on that Reserve; but this extends only to a square of about four acres, and in no way interferes with the extensive plain, between the Church and the River au Gervaise, which might afford a site for a County Town, knowing no specific object or intended use in those reserves (other than occasional convenience of

the Christian Hurons, which the Board could not wish to interrupt) it is difficult for the board to doubt the practicability of satisfying the Hurons in any other part of the district, but the board with submission to the communication from the Honourable Committee takes leave to observe that from the even tenor of the last cession it does not appear that the satisfaction is to be made to the Huron Indians the Reserve being general, for the use of the Indians generally, and the original proprietors of the land at the River Canard appearing to be the Ottawa and Ochipué Indians from their cession of that tract to the Crown received by the Deputy Agent to the King's use, as we have had the honour to state above. And we submit, if the Ottawa and Ochipué Chiefs, who were parties to both deeds, the cession of 15th May, 1786, and the reserve on 21 May, 1790, were again assembled, and the two deeds laid before them, they would require no additional satisfaction whatsoever for the total dereliction of the tract at the River Canard, reserved in their cession, unless they should represent an expected consideration for the cession in 1786, which they did not consider as comprised in the presents made them in 1790.

Should this our opinion upon trial be founded in error we submit for the consideration of the Honourable Committee that the incorporation of that tract into the district is highly desirable on many accounts submitted in our reports to the Governor of 28th May, 1790, and more particularly so to the settlers, on account of an extensive and deep stratum of lime stone within it, being the only one known in the district, besides that of Stoney Island in possession of Mr. William McComb. The board would be happy to obey the commands of the Honourable Committee to state our ideas of a survey of the waste lands of the Crown in this district sufficient to effectuate their settlement at the least expence to Government, but finds itself incompetent to the task of such a statement with sufficient accuracy to guide the judgment of others.

We subjoin a sketch of the tract for settlement, the very face of which shews that the whole should be accurately laid down on paper before a second township from the water should anywhere be laid off, least the lines of the one should interfere with the other, as in Cornwall and Luneburg, pointed out in the diagram communicated to this board by J. Williams with a transcript of the proceedings in Council holden at the Castle of St. Lewis on the 7th March, 1790.

There are scattered settlements on the Lake Erie and R. La Tranche from AE to AO and from NR to NP on the plan, the former under the sanction of the Commandants of Detroit, confirmed by this board, the latter without any authority but Indian grants.

The delays which have protracted the settlement in this district have been such as we presume to offer in excuse for the disobedience of these people; the necessity which drove them to it was little short of self-defence. Neither of these ranges of settlements leave space for the plan adopted in the Regulations of 17th Feby., 1789, but had the board been able to procure at first the survey of a single township on the approved plan, the same excuse would not exist for protecting the settlers in their present improvements; having promised this much, we submit as our opinion that however great the first expence may be it is indispensably necessary to the future quiet of the settlers, and for the assurance of the Royal Grant that a survey of the whole tract purchased should be before the board before they issue directions for any part of it to be laid out in townships and that no settler be located by the board without having before it a plan of the township in which he is to be placed. Any proceeding without such precaution must subject the board to error, the settler to confusion and litigation, and the Government to reproach.

The Surveyor-General's Office can certainly best calculate the expence of such a survey from experience of its own operations, but we presume to offer that if the method required by the 10th Article of the Rules of 17th Feb., '89, should be relinquished, a sufficient survey of a township to enable the board to grant locations might be done by a single surveyor and his party in ten days; we suppose in such a plan that nothing more need be done than to run the four sides, marking the road space between each concession and measuring off, staking out and numbering in the usual manner the front lots.

Upon such a plan of survey, the board could reserve the number of lots in any part of it, which might by the existing or subsequent regulations be required. The settlers on the front concession would find the lots from the surveyors' numbers, and those on the second and others might readily measure them off from the side line, reserving the adjustment of their particular lines in case of dispute between them, to a special survey at their own expence; observing at the same time, as our opinion, that this inconvenience may be obviated at an expence of 10 or 12 days' labour of a Deputy Surveyor and his assistants, for each township, and submit upon the whole, the propriety of leaving anything to be done by the settler towards the ascertainment of his lot.

(Signed) JOHN SMITH, WM. DUMMER POWELL, ALEXANDER GRANT.

LETTER FROM MR. MCNIFF, ACTING SURVEYOR, TO HUGH FINLAY, ESQ.

Detroit, 3d May, 1791.

Sir: I am honoured with yours of the 19th January last, covering a copy of His Excellency Lord Dorchester's Orders of the 20th of October last to the Land Committee; since the receipt of which have been so busy in survey of lands on River La Tranche as to put it hitherto out of my power to make any report on the object of that Order.

There is not any one thing that hitherto may have impeded the peopling of this country so far as may have come within my observation that I have not transmitted below in as plain a manner as the nature of a cursory investigation would permit. I will now, for the information of His Excellency Lord Dorchester and The Honourable Land Committee, point out these evils in as explicit a manner as the nature of my different enquiries will allow.

When it first became an object of Government to people so important a frontier as this is, I believe every encouragement that settlers could reasonably wish for or expect was held out; but from the very remote situation of this place and its great distance from the seat of Government, abuses similar to those that I have seen elsewhere have (I fear) taken place particularly with respect to many of Col. Butler's Rangers, amounting to near one hundred able young men who have left the country in less than the space of one year owing to His Majesty's bounty of provisions, etc., being withheld from them; how far this may be true is to be proved, but the men have left the country and I fear lost to Government. This has greatly impeded the settling of the country and that with the best of subjects.

In the next place the various and almost unlimited claims made by individuals to tracts of land by virtue of Indian grants have been a great cause of keeping this country unsettled and will so long as they are suffered to exist; when settlers came from the States of America at the instigation of Government, instead of being placed on the waste lands of the Crown without delay, they were told that such and such particular tracts of lands as they may have pitched upon

was the property of individuals by virtue of purchase made of Indians and that the King had no land in this country; the consequence was that numbers of those intending to settle on the King's land returned again to the States. Others* of them for want of money to take them back were under the necessity of purchasing land perhaps of those persons claiming large tracts under Indian titles at the enormous price of £100 for one hundred acres of wild land. In order to continue this practice of selling land and prevent Government from settling the country, it has been reported at Fort Pitt through the instigation of some persons here, inimical to the interest of Government (and perhaps principal claimants), that all the land in this country was claimed by a few individuals and that the King had no land here; however, as Government has disapproved of such grants, it is to be hoped every obstruction to the settlement of the country arising from such claims will in future cease.

Another cause which at present greatly impedes the settling of this country is the present Standing Order of Survey for townships situated on navigable rivers or lakes; by that Order of Survey there are so many reserves made that only two farm lots can be granted in the front, two in the 2d and twelve in the 3d concession, a plan of survey in its nature so injurious to new settlers that none will consent to settle in the back concession and have so large a quantity of wood land in their front, through which they would at a greater expence and labour than new settlers can bear, have to make roads; this very great inconvenience and obstruction to the settling of the country I have about twelve months past pointed out to the Land Board of Hesse. In my surveys this spring I laid out four townships, two on each side of River La Tranche, in the manner directed by said plan of survey, but such as have applied for land will not go into the back concessions to settle while there is so much waste and unoccupied land front. I did at the same time mark the front of each of these townships into such farm lots as is directed by said Order of Survey, so that the Land Board might at any time grant them, when they were vested with authority to deviate from the present Order of Survey. In the townships surveyed on River La Tranche I found twenty-eight families settled in front, some with very considerable improvements, should the present Order of Survey be carried into effect there, it will remove every one of them from their improvements.

As to the Reserves of Land made at River Canard and the Huron Church for the use of the Huron Indians and others.† I have but little to say, only that I am fully persuaded the reserves when made were intended for that use and no other nor have I as yet heard of any intention of their being applied to any other use; but how far such reserves may or may not be injurious to the settlement of that part of the country the Inspector-General of Indian Affairs can best tell as he has last summer enquired very minutely into these matters. The reserve at the Huron Church is of no manner of consequence, being only a barren, sandy plain; that at River Canard is for reasons very valuable, and should a village or town be established in its vicinity (at Isle Bois Blanc) that reserve will prove very injurious to the interest of the inhabitants; those already settled there, Caldwell, Elliot, Lamotte, &c., complain much of what they suffer in the loss of cattle and hogs by the Indians at present settled on that reserve. There are but two or three families who live there constantly, but many more resort there during the summer season for the purpose of raising Indian corn and beans. The Chief, Dewintate, who lived there and had the greatest claim to these lands, died about two months past, a circumstance which I think will be an inducement

*For instance, David England and other Quakers from Red Stone in Pensylvania.

†See my plan of survey transmitted to the Surveyor General's Office by last Winter's Express.

to the others to move from thence. The land, am of opinion, might be bought of them for a very trifling consideration and they equally as well provided for at River Chanail Ecarté, near the entrance of River St. Clair, on the north-easterly shore of Lake St. Claire, a situation where they can have little or no intercourse with the white inhabitants. There is no land in this country that would get inhabited so soon as the Reserve at River Canard was it not for the great resort of Indians to that place during the summer season, a circumstance ever unfavourable to new settlers in the vicinity of such a place.

By my survey of this country sent down last winter, the Land Committee will please to observe that all the land fronting on the easterly side of the Streight is thickly inhabited from the north boundary of the Reserve at River Canard as far up as above Peach Island in Lake St. Clair, many of these inhabitants have by their joint petition presented to the Land Board on the 22d ult., prayed for the 2d, 3d and 4th concessions in their respective rears, setting forth that if they could not have this granted the want of wood and hay would oblige them to abandon their front lots, in consequence of which I did on the 25th ulto. by Order of the Land Board take a cursory survey of their respective farms from the north boundary of the Reserve at River Canard upwards to near Maisenville's Mill, and find there is little or no woodland in that space until near the rear of the 2d concession, being a distance of near eighty arpents back from their front being formerly a plain. It seems rather hard to cut them off from wood, but if they are put in possession of the 3d and 4th concessions, the other back concessions in their rears will not in many years be settled; for these people, with very little exception, having once obtained their grants will clear no more land yearly than just what they require for fuel, having more land clear in the 1st and 2d concessions than they will occupy; this with the want of public roads will prevent English farmers from ever settling in the rear of the petitioners should their request be granted. From River Canard upwards I do not find one yard left for a public road to lead to the back concessions, each person passing through his own lot. The opening of roads at this place at proper distances from each other is an object that requires immediate attention, as it may be the means of inducing English farmers to settle back here sooner than go a great distance up River La Tranche; besides it will be a great means of strengthening this frontier which at present is inhabited only by Canadians.

(Sgd.) PATRICK MCNIFF, D.S.

SECOND LETTER FROM MR. MCNIFF TO HUGH FINLAY

Detroit, 5th May, 1791.

Sir: In addition to what I have already observed on the nature of the present Order of Survey, I beg leave to suggest to the Honourable Committee the idea of a number of townships in succession to be laid out on River La Tranche, supposing ten in number, which will take up a space of ninety miles. According to the present Order of Survey no more than twenty farmers can be settled in front of that space and they so far distant from each other as to render it impossible for them to derive any security or support from their joint effort in their own defence in case of their being disturbed by the Indians who pass in great numbers up and down the river; at and near the sources of that river there are several villages of Delawares and Chipawas who some times (generally in going up) behave disorderly among the inhabitants by killing some of their cattle and

hogs, but not so much latterly as when they were but few settlers. This circumstance alone I think would be a sufficient inducement to place the inhabitants for their mutual defence closer on the front than can possibly be done by that Order of Survey. There is no man living could take more pains to keep the Indians orderly than Colonel McKee, the Deputy Indian Agent does; still notwithstanding when at a distance from him they often commit things they ought not, and they would not do were the settlement sufficiently compact.

(Sgd.) PATRICK McNIFF, D.S.

LETTER FROM SIR JOHN JOHNSON, BARONET, SUPERINTENDENT-GENERAL OF INDIAN AFFAIRS, TO HUGH FINLAY, ESQ.

Montreal, 27th Jany., 1791.

Sir: I have the honour to acknowledge the receipt of your letter by Order of the Land Committee of the 19th instant, inclosing a copy of Lord Dorchester's Order of Reference to them of the 20th of October last, together with the Resolve of the Committee of the 10th of December in consequence thereof, which I would have answered by the return of the post but for the departure of the express on that day for the Upper Districts.

I have the honour to obseve in answer to your request in consequence of the Resolve of the Committee that, as my opinion must be founded more upon official information than any other knowledge I would have acquired on the subject, I cannot give the Committee more satisfaction than by transmitting for their information a copy of a letter from Alexander McKee, Esq., Deputy Agent of Indian Affairs, on the subject and to which I beg leave to refer them.

From the best information I was able to collect when in the District of Hesse, of the causes of the difficulties and impediments that had obstructed the settlement on the east side of the Streight of Detroit, I found the following to be the principal, viz.: The not continuing to give permission to loyalists and emigrants from the States to take up land in the manner that had been authorized and practised by Major Mathews and Major Close, on the land ceded to the Indian Officers, &c., by the Indians previous to the establishment of the Land Boards, surveys of which had been made under the direction of one or both of those gentlemen, but were not considered as valid by the Land Board, as they did not conceive the land legally vested in the Crown, nor the surveyor properly qualified to act, consequently no certificates for land would be granted till the late purchase, and a proper survey thereof could be made, which naturally put a stop to all further progress of the settlement until those ends were obtained. A lapse of time of near sixteen months took place before any part of the survey was made, and in the interim some of the emigrants from the States, in order to support their families, purchased lands, and are settled, as I have been informed, on both sides of the treaty line, and some who came in last year were obliged to return to the States after having expended the little property they brought with them. There can be no other method adopted, in my opinion, to effect a regular and full survey of the Crown land than by employing a sufficient number of surveyors, and laying out the townships from front to rear, which I conceive to be agreeable to the King's Instruction on that head. No lines marked in the manner suggested by the Committee will answer, they have been tried, and only serve to create confusion and disputes among the settlers and will be the cause of much future litigation; perhaps as the demands for lands are not so great as

heretofore, the running of two or three concessions or more according to the population of the township might answer for the present. The present mode of laying out the townships on navigable rivers will totally upset the design of settling the country, as the whole of the front, except two lots, is laid out in a town plot and reserves, by which means the whole face of the country would remain in wilderness unless we are to suppose that cities and towns will rise up much faster than hitherto, now that the emigration from the States has been checked, and that Government will occupy the reserves or grant them to persons who will make immediate improvements on them. Such town plots might answer very well where good harbours or favourable situations may offer, and may be proper for, or likely to become a county town, or might answer in an inland country, but will never do on a navigable river.

Thus I have endeavoured to give the Committee every information that the time would allow of and I shall be happy if it proves any way serviceable to them or the public.

(Sgd.) JOHN JOHNSON.

INDIAN LAND GRANT: HESSE

Know all Men by these Presents, that We the principal village and war chiefs of the Ottawa and Chippewa Nations of Detroit, for and in consideration of the good will, friendship and affection which we have for Alexander McKee, who has served with us against the enemy during the late war, have by and with the consent of the whole of our said nations given, granted, enfeoffed, alienated and confirmed, and by these Presents do give, grant and enfeoff, alien and confirm unto His Majesty George the Third, King of Great Britain, France and Ireland, &c., a certain tract or parcel of land situated on the south side of Detroit River, beginning at the line granted on the seventh day of June, One thousand seven hundred and eighty-four, by the Ottawas and Hurons, to Indian Officers and running an easterly course, along said line, until it arrives at the end of seven English miles, from thence a northerly course, bearing always in breadth seven English miles, from the said River Detroit, till it strikes the most northern branch of the River Canard, thence down the said branch and River Canard to the mouth thereof and from thence down the River Detroit to the place of beginning; also an Island in the Mouth of the said River Detroit, commonly known by the name of Bois Blanc, with all and singular the appurtenances unto the said tract of land and island, belonging, or in any wise appertaining and the Reversion and Reversions, Remainder and Remainders, Rents and services of the said premises and all the estate, right, title, interest, property, claim or demand whatever, of us the said Chiefs, or any one whatever of our said Nations, of, in and to, the said tract or parcel of land, or of, in and to every part and parcel thereof. To have and to hold the said Lands and Premises, hereby given and granted, or mentioned or intended to be given and granted unto His said Majesty George the Third, His Heirs and Successors, for the only proper use and behoof of His said Majesty George the Third, His Heirs and Successors, for ever, and We, the said Chiefs, for ourselves and the whole of our said Nations, our and their heirs, executors, administrators, do covenant, promise and grant to, and with, His said Majesty George the Third, his Heirs and Successors, by these presents, that His said Majesty, His Heirs and Successors, shall and lawfully may, from henceforth, and forever after peaceably and quietly, have, hold, occupy, possess and enjoy the said tract or parcel of land, hereby given and granted, or mentioned or intended to be given and granted with all and every of its appurtenances, free,

clear, and discharged, or well and sufficiently saved, kept harmless and indemnified of, from and against all former and other gifts, grants, bargains and sales, and of, from and against all former and other titles, troubles, charges or incumbrances whatever, had, done or suffered or to be had, done or suffered, by any of us the Chiefs, or by any one whatever, of the said Nations, our and their heirs, executors or administrators; And by these presents do make this our Act and Deed irrevocable under any pretence whatever of the said Nations, and have put His said Majesty in full possession and seizin by allowing houses to be built on the premises; In Witness whereof we the said Chiefs, for ourselves and the said Nations, have unto these presents affixed the marks of our different tribes at Detroit, aforesaid, the fifteenth day of May, in the twenty-sixth year of the Reign of Our Sovereign Lord George the Third, of Great Britain, France and Ireland, King, Defender of the Faith, &c., &c., &c., and of our Lord, One thousand seven hundred and eighty-six.

(Signed)	Egushawa	} their	{ Ottawas
	Niquelon			} mark	{ Bear
			{ Tribe

Chipewas

Shaboqew }
Nayquosseon }

Kenjiwanse

Wolf

Tribe

Eagle Tribe

Tickconugosson }
Misque cawpowee }

Pondiac }
Assinowee }

Signed in presence of

THOMAS WILLIAMS
JOHN CLARK
DANIEL FIELD

A true copy.

D. W. SMITH,
Secretary to the Land Office Board,
District of Hesse.

Read a report of the Land Committee upon the Instruments remaining in the Surveyor-General's Office, with an estimate of the probable Expense of Supplying the deficiency amounting to £383 in the following words:

To His Excellency Alured Clarke, Esq., Lieutenant-Governor and Commander-in-Chief of the Province of Quebec, &c., Major-General Commanding His Majesty's Forces in America, &c.:

Report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) upon the Instruments remaining in the Surveyor-General's Office:

May it please Your Excellency: The Right Honourable Lord Dorchester having been pleased by His Order-in-Council of the 4th January last to direct the Land Committee to report a List of the Instruments remaining in the Land

Surveying Office, or that are in the hands of the several Deputy Surveyors, distinguishing those appurtenant to the Office from such as may be private property, and whether any, and what kinds of Instruments may be wanted for the better execution of the work of that Department, together with an estimate of the probable expence for supplying the deficiency. The Chairman in order to obtain the List required applied by letter to the Surveyor-General's Office, and obtained from Major Holland the following answer:

Quebec, 31st January, 1791.

Sir: In answer to yours of the 28th instant requiring me to furnish the Land Committee with a List of the Instruments remaining in the Land Surveying Office, and in the hands of the several Deputy Surveyors, I have to inform you that as no allowance of Instruments has ever been made to the Land Surveyor-General of the Province of Quebec, of course there are no Instruments appertaining to his office, those, made use of in his Department, being the private property either of himself or of his deputies; and of the number in their possession I can only mention such as were commissioned out from London by me, about six years ago, and sent me by Messrs. Watson & Rashleigh, being six of the best improved horizontal theodolites, for the following gentlemen, viz., Mr. O'Hara, at Gaspée; Mr. Vondenvelden, Chaleurs Bay; Mr. McCarty, St. Thomas; Mr. Fry, Detroit; Mr. Aitkins, Kingston, and one for my son groved with cross levels; three more were likewise sent out by me when in England two years ago, and are at present in the hands of Mrs. De Pencier, Pennoyer and Bedar, the whole of these instruments have circular protractors of the same divisions and dimensions of the instruments with spare barr needles agat cap'd and I have now ordered out three more, for Messrs. St. Germain, Bouchette and J. Plamandon. Exclusive of these there are many other good instruments belonging to the deputy surveyors, Mr. Chewit having at some expence provided himself with two setts; and Messrs. William Fortune and Jones with one good one each, also Mr. J. McDonald; and I have seen some at Montreal in the hands of Mons'r Papineau and De Lisle.

I am not aware that any further instruments are at present wanted in my Department; but that in a great measure depends on the nature of the work to be performed and persons employed, as I shall be loth to trust in any unskilful hands my capital set of instruments consisting of all sorts necessary for carrying on a general survey, or making astronomical observations, and made by the best artists in London. They have already been proved by me in settling the longitudes and latitudes in the Northern District of North America, as inserted in the Philosophical Transactions, and with which Mr. Sproule and Mr. Wright ascertained the longitudes and latitudes of Gaspé and Isle of Anticosti, as they were much deranged by being removed from their boxes by Mrs. Holland, to prevent them being carried off by the Americans, while she and family were their prisoners in the year 1776, I was under the necessity of taking the principal ones with me to England; where they underwent a thorough repair in Mr. Ramsden's hands, except a quadrant of the old construction which was left in my office where it has been nearly ruined.

I have the honour to be, Sir,

Your most obed. Servt.

Hugh Finlay, Esq.

Mr. Collins, the Deputy Surveyor-General, delivered in a report to the Committee, upon the same subject, on the 4th of February, informing them at the same time that he would soon furnish a list of such instruments as he conceived to be necessary for the better execution of the work of the Land Surveying Department.

MR. COLLINS'S REPORT

There are no Instruments in the Surveyor-General's Office belonging to Government.

The following List are Instruments belonging to Mr. Collins: A theodolite by Rowley; an aerometer telescope 3 feet 8 inches in length; the magnifying powers with eye-glasses for land objects, about 50 times and with those for astronomical uses 80 times; one Hadley's quadrant; one mason's level; one English chain; one French chain.

The deputy surveyors and assistant surveyors furnish their own instruments for the ordinary business of surveying lands.

JOHN COLLINS, Dy. Sr.-G'l.

Quebec, 4th Feby., 1791.

Mr. Collins this day delivered to the Chairman the list promised, and which is annexed to this report. The Committee consider the instruments therein noted to be necessary for the correct performance of the operations that may be required of the Surveyor-General's Department, which is nevertheless most humbly submitted to Your Excellency's wisdom.

HUGH FINLAY, in the Chair.

Council Chamber, Bishop's Palace,
Quebec, 16th Dec'r., 1791.

List of Astronomical Surveying and Drawing Instruments proposed for the Surveyor-General's Department with an Estimate of the Expense:

Astronomical Instruments:

Two three feet reflecting telescopes with 4 magnifying powers, 35 Gs. each, £73, 10; 1 Harrison's time piece, £50; 2 astronomical quadrants; these are of different prices according to the variety and accuracy of their adjustments. In the present case there would be little probability of getting them repaired if they should become out of order, the adjustments ought therefore to be of the most substantial kind, and as accurate as can consist with the proper degree of strength. It is necessary besides being strong that they should be, to be depended on within five seconds of a degree at the farthest, at a single observation, the price may probably be about £60 each, £120.

N.B.—The above instruments are for ascertaining the longitudes and latitudes of places.

One pair of 18 inch globes, £8, 8. The reason why a pair of globes would be useful in this Department is that few of the surveyors in Canada distinguish between straight lines which are on the Globe of the Earth, Great Circles, and East and West Lines which are Parallel Circles or between either of the above and Rhumb lines which are of the property of Spirals, these distinctions every surveyor ought to know, and Globes are very proper for the purpose of explaining them.

Surveying Instruments:

The description is given so much at length because some of the parts are to be entirely new.

Two theodolites or rather New Improved Circumferenters; these are various in their construction and prices; but the best for common use, and which are therefore here requested are those which may be used either as a theodolite or as a Common Circumferenter as occasion may require, they should have no outer limb but instead thereof an Index in the compass box, the best size is for the compass box to be $5\frac{1}{2}$ inches in the inside so as to carry a needle of $5\frac{1}{2}$ inches long. The index to have a nonius to cut angles to every 5th minute of a degree, to have a pin go through the box whereby to raise the needle from the center pin, when the instrument is carried from place to place; the arms to extend about $4\frac{1}{4}$ inches, on each side beyond the compass box, so as to have the plain sights about 14 inches apart; on this to have an arch and double telescopes to take off and on so that the instrument may be used either with the plain sights or with the arch and telescopes, as occasion may render necessary; to have cross levels in the compass box, the staves to have parallel plates to take off and on, so that the instrument may be used either with the parallel plates or with a ball and socket; the ball and socket to differ from the common ones by having a pin inserted into the ball and to move up and down in a groove in the socket to prevent the horizontal motion of the ball in the socket when the instrument is turned round. (N.B.—The endless screw is not sufficient of itself to prevent this horizontal motion, in practice, which has occasioned numerous errors.) The price it is supposed will be about 20 Guineas each, £42.

Surveying Instruments: 1 Boughton's improved plain table, £14, 14; 2 spirit levels with double telescopic sights for levelling, supposed to be about 12 Guineas each, £25, 4; 4 station staves with sliding vanes for levelling, @ 36/, £7, 4.

Plotting and Drawing Instruments: 2 tracing glasses for copying plans, 30 inches by 25, fitted in frames to let up and down, supposed about 5 guineas each, £10, 10; 2 pantographers for reducing plans, at 6 guineas, £12, 12; 2 pair of brass plotting scales, each pair to consist of two scales, the one fixed and the other movable at right angles to the former, the fixed one to be 20 inches long, the other 10 inches, each to be graduated with 40 divisions in an inch, on one edge, and 60 divisions in an inch on the other edge, to be so fitted as to be taken apart at pleasure, the edge of the movable scale to be levelled, supposed to be about 2 gs. a pair, £4, 4; 2 proportionable compasses at $1\frac{1}{2}$ guineas, £3, 3; 2 brass parallel rulers of the best construction, the one 20 inches long, the other 12, supposed to be about a guinea each, £2, 2; 2 Circular Protractors, $5\frac{1}{2}$ inches diameter, supposed to be about half a guinea each, £1, 1; 2 cases of Plotting Instruments at $1\frac{1}{2}$ guineas, £3, 3; 1 pair of Magnets in a case (a short bar of steel to be put across at the ends of the Magnets when packed), supposed about £5, 5. £383.

(Sgd.) JOHN COLLINS, D.S. Gl.

Quebec, 17th December, 1791.

Read a report of the Land Committee: To His Excellency Alured Clarke, Esq., Lieutenant-Governor and Commander-in-Chief of the Province of Quebec, &c., Major-General Commanding His Majesty's Forces in America, &c, &c.

The report of the Land Committee (consisting of Messrs. Finlay, Collins and Grant) upon the Schedule of the Plans in the Surveyor-General's Drawing Room.

May it please Your Excellency: In obedience to His Excellency Lord Dorchester's pleasure signified to the Land Committee by Mr. Secretary Motz's letter to the Chairman, of the 24th June last, that they should procure an accurate Description of the Contents of the different Plans in the Surveyor-General's Office.

The Committee report to Your Excellency that this day the Deputy Surveyor-General laid before the Committee the draught of the dilated list required, which upon examination they find to be made out in conformity to Lord Dorchester's directions; and the Committee have instructed the Chairman to deliver a fair copy thereof to Your Excellency as soon as it can be made out by the Surveyor-General's Office, and another copy to be filed in the Council Office.

And the Committee beg leave further to report that in compliance with further directions given to them in the said letter of the 24th June they required from the Surveyor-General's Office a List of all the Field Books and Journals in that Office, and particularly the Field Books of Mr. Penoyer's survey of the road from Coteau du Lac to Kingston: "That all Places such as Bays, Rivers and Rivulets therein mentioned, might be reported with such names as the Committee might judge best calculated, by the simplicity and clearness of their sounds and spelling and dissimilarity to French or Indian names to make them universally known and distinguished."

And thereupon the Deputy Surveyor-General now informs the Committee that on searching there appears nothing more in the office relative to Mr. Penoyer's survey of the road from Coteau du Lac to Kingston, than his field notes from Coteau du Lac to Oznaburg, in which there are several errors, as appears by the plan, which Mr. Penoyer alone can correct; and as he is in the Upper Districts no further report can at present be made upon that matter; and upon the entries of the locations assigned in the townships in the new districts directed by His Lordship on the 11th of July last to be made in the plans kept in the Surveyor-General's Office and exhibited once a month at least to the Land Committee, Mr. Collins observes that seeing the Acting Surveyors of the Upper Districts, had not, in conformity to the orders sent to them, made their returns to his office, he had obtained from Mr. Williams, Clerk of the Council, the returns that had accompanied the proceedings of the Land Boards, which on examination were found to disagree in very many instances with former returns that had been received and previously entered upon the plans; but that where there was no disagreement the new names have been inserted.

HUGH FINLAY, in the Chair.

Quebec, 16th December, 1791.

Read the following extract from a report of the Land Committee. To His Excellency, there being present Messrs. Finlay, Collins, Grant and De Lanaudiere.

Having considered the petition of Lieut. Alexander McDonell of Butler's late corps, praying in behalf of himself and his brothers, Angus and James, three thousand acres of land in the township of Cambridge, District of Lunenburg, to which quantity his deceased father was entitled as a Captain in the late 84th Regiment. The Committee recommend that the lands prayed for may be granted to the petitioner, joint with the other heirs of his father.

HUGH FINLAY, in the Chair.

Quebec, 23d Sept., 1791.

His Excellency observed to the board that as His Majesty had been pleased to divide His Province of Quebec into two Provinces, by the names of Upper Canada and Lower Canada, it will be necessary that the Lieutenant-Governor of Upper Canada be furnished with every information relative to lands within that Province: Ordered by His Excellency with the advice of the Council that copies of all the Minutes in Council respecting applications for lands within the Districts of Lunenburg, Mecklenburg, Nassau and Hesse, with all the Original Papers and Documents relating thereto, be delivered by the Clerk of the Council to the order of Lieutenant-Governor Simcoe, together with a Schedule thereof, as soon as the course of official business will permit.

J. WILLIAMS, C.C.

APPENDIX I

PROVINCE OF QUEBEC

1787-1791

THE GOVERNOR-IN-COUNCIL

Governor.....	Guy, Lord Dorchester.*
Lieut.-Governor.....	Henry Hope.
“ “	Major-General Alured Clark.
Chief Justice.....	William Smith.
Deputy Postmaster-General....	Hugh Finlay.
Deputy Surveyor-General.....	John Collins.
Justice.....	Adam Mabane.
Provincial Secretary.....	George Pownall.
Surveyor-General.....	Major Samuel Holland.
Supt.-General Indian Affairs....	Sir John Johnson, Bart.
The Honourables.....	Thomas Dunn.
	Edward Harrison.
	J. Gaspard Chaussegros de Léry.
	Picoté de Belestre.
	John Fraser.
	Col. Henry Caldwell, Com'd'g British Militia.
	William Grant.
	Paul Roche De St. Ours.
	Francois Baby.
	Joseph De Longueuil.
	Charles de Lanaudière.
	René Amable de Boucherville.
	Col. Le Comte Dupré, Com'd'g Canadian Militia.
Clerk of the Council.....	Jenkin Williams.

*Re-named Governor-in-Chief of Upper and Lower Canada, Sept. 1791.

APPENDIX II

COUNCIL MEETINGS

1787-1791

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APPENDIX III

LAND BOARDS:	Hesse, Gaspé, Luneburg, Mecklenburg, Montreal, Nassau.
Luneburg:	December, 1788. Richard Duncan, John McDonell, Jeremiah French, Justus Sherwood, James Gray, John Munro, or any three of them.
Mecklenburg:	The Rev. Mr. John Stuart, Neil McLean, James Clarke, Richard Cartwright, Jr.; and the Officer Commanding for the time being, Esquires, or any three of them.
Montreal:	Sir John Johnson, Baronet; Lt.-Col. Harris, 60th Regiment or Officer Commanding at Montreal, William Dummer Powell, William Rankin, Mr. Abraham Pastorius, or any three of them.
Nassau:	Lt.-Col. Hunter or Officer Commanding, Lt.-Col. John Butler, Peter Tenbrook, Robert Hamilton, Benjamin Pawling, Nathaniel Petit, or any three of them.
Hesse:	April, 1789. Major Close* or Officer Commanding at Detroit; William Dummer Powell, Justice of the Court of Common Pleas; Dupéron Baby, Alexander McKee, William Robertson, Alexander Grant, St. Martin Adhemar, or any three of them. Clerk of Land Office: Thomas Smith.†
Montreal:	Jan., 1789. Arthur Davidson appointed.
Luneburg:	May, 1790. Malcolm McMartin appointed a member.
Hesse:	May, 1791. The Officer Commanding at Detroit,‡ William Dummer Powell, Alexander McKee, William Robertson, Alexander Grant, St. Martin Adhemar, John Askin, George Leith, Montigny de Louvigny, and the Officer of the Royal Corps of Engineers stationed at Detroit for the time being.
Luneburg:	Richard Dunn, John McDonnell, Jeremiah French, Justus Sherwood, James Gray, John Munro and Malcolm McMartin.
Mecklenburg:	The Rev. Mr. John Stuart, Neil McLean, Richard Cartwright, Jr.; James McDonnell, Hector McLean, and the Officer Commanding for the time being.
Montreal:	The Officer Commanding at Montreal, William Rankin, Abraham Pastorius, Joseph Chew, Eli Bransom, Arthur Davidson, and the Officer of the Royal Corps of Engineers stationed at Montreal, if such there is.
Nassau:	The Officer Commanding the Upper Posts, Lt.-Col. John Butler, Peter Tenbrook, Robert Hamilton, Benjamin Pawling, Nathaniel Petit, Gilbert Tice, John Burch, John Warren, Robert Kerr, John McNabb, and the Officer of the Royal Corps of Engineers stationed at Detroit for the time being.
Gaspé:	Nicholas Cox, Lieutenant-Governor, Felix O'Hara, Charles Robin, Daniel McPherson, Francois B. de la Fontaine, Pierre Louvert, Henry Rimphoff, Isaac Mann.
Mecklenburg:	December, 1791. Additional members, Richard Cartwright, Senior, and William Atkinson.

*Major Farnham Close, 65th Regiment, from 2nd April, 1789.

†Appointed by the Board.

‡Major Patrick Murray, 60th Regiment, from 7th August, 1789.

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